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Illinois Issues

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Terrorism's cost hits home

State and local governments are building an expansive network to combat potential attacks. How far they go depends on money

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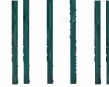
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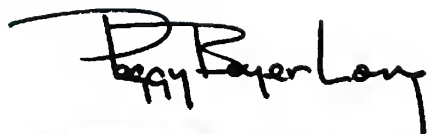
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A bucket of courage will be needed to bail out the state budget

by Peggy Boyer Long

Fish or cut bait. That phrase comes readily to mind every year at just about this time.

With the scheduled end of the spring legislative session mere weeks away, lawmakers, and the governor, face some of the toughest fiscal choices in recent memory. State revenues are sinking, expenses rising. And the fall election is visible already on a not-so-distant shore. By the end of May, they'll need to find some way to patch a \$1.3 billion hole, maybe bigger, in Gov. George Ryan's budget for the coming year. It won't be easy.

As Charles Wheeler puts it in this month's Politics column, for most legislators, "it's the most daunting challenge of their public lives; they must choose between slashing vital services, or raising taxes to avoid some or all of the most draconian cuts." (See page 42.)

And just when the waters seemed plenty rough, the state got another storm warning: Lawmakers and the governor must contend with fiscal fallout from a newly minted federal economic stimulus plan, a corporate tax-break program that threatens to capsize state and local budgets.

As Anthony Man explains in his piece beginning on page 24, the Illinois corporate income tax is linked to federal taxable income. If businesses pay less to the federal government, they pay less to state government.

"It's a big hit," Illinois budget chief

Stephen Schnorf tells Man. The state Department of Revenue estimates a \$216 million reduction and a three-year loss topping \$590 million.

But municipalities and school districts will lose, too. In part, that's a function of the way the state distributes tax dollars to local governments; in part, that's due to a resulting decline in proceeds from the state's corporate personal property replacement tax, which is distributed among local governments.

All of this puts increasing practical and political pressures on lawmakers.

There's more. The cost of terrorism hits home, too. Aaron Chambers, our Statehouse bureau chief, reports that state government and local governments from Chicago to Fairview Heights are building an expansive network to combat potential attacks. How far they go depends on money.

Though the federal government has provided financial assistance, and is likely to provide more, it will take a lot of dollars to train and outfit the police, firefighters and medical technicians who will be first on the scene should any attack occur. Read his story beginning on page 14.

And see Terry Farmer's photographs of the Springfield Fire Department on our cover, and inside accompanying Chambers' story. While New York City is a long way from our capital city, Springfield firefighters represent some of the folks government calls "first

responders" — and we would call heroes, should they have to fulfill their responsibilities under extraordinary circumstances.

In fact, there are many such worthy claims on the state's declining bank account. We outline two others this month: the state's lower-income elderly and its children.

Maura Webber reports that drug prices are rising along with the number of seniors who are 65 and older. Illinois has established itself as a leader in efforts to bridge that gap, but there are risks. Critics charge the cost will be disproportionately borne by pharmacies. Her piece begins on page 20.

And Kristy Eckert highlights a continuing spending gap between rich and poor school districts. That issue is likely to come up again this spring. Eckert, beginning on page 22, cites school finance experts who argue that "the only way to meaningfully improve the way the state funds schools is to spend more money." Yet Ryan's budget plan would spend less on schools than estimated spending for the current year.

While politicians are looking for a way out of these budget dilemmas, Wheeler is looking for statesmen. He's hoping policy-makers find the courage to raise the revenue required to fill that budget hole — including an increase in the state income tax. "The mechanics," he writes, "aren't the difficult part — it's the political will." □

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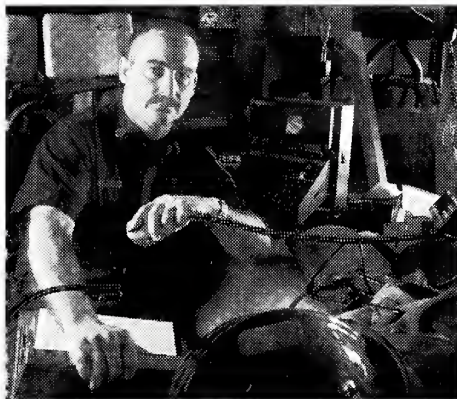
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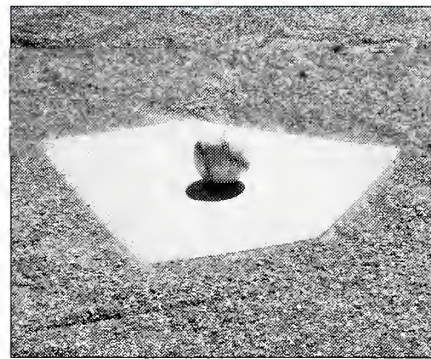
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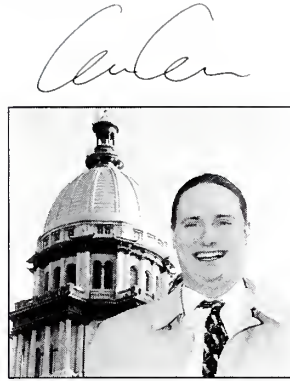
Statesmen wanted

Credits: Terry Farmer took the photographs of the Springfield Fire Department on the cover and inside.

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Illinois agencies are on the alert for cyberterrorism

by Aaron Chambers

There's always the old-fashioned way. But that takes longer and isn't as efficient. And lives could be at risk.

These days, police officers travel with computer systems built into their squad cars. With the punch of a few buttons, an officer can link with the state police database, known as LEADS, and instantaneously get the goods on a driver or a vehicle or both.

But for some 325 police departments outside Chicago, the direct connection to LEADS depends on a system hosted by the Illinois Criminal Justice Information Authority. The problem is there's no independent power source to back up the system should the authority's Chicago office lose electricity.

Candice Kane, the authority's executive director, says the authority has been asking the legislature for years to appropriate the \$300,000 to \$500,000 she estimates it would take to buy a generator for her computer system or to connect the system to an alternative power source that could serve as a backup. But those efforts have been unsuccessful. This year, with the state in a budget crisis, she didn't even ask.

"The system is so strong and durable and we've been so fortunate over the years to not go down very much that I don't think it's been necessarily seen as

While officials are reluctant to discuss specifics — they don't want to identify potential targets or system vulnerabilities — they clearly are focused on minimizing the chances for such an attack.

great a risk as it might be," she says. "But certainly, given what happened last September, I think there's been a lot more thought put into it."

There has been a lot more thought aimed at whether terrorists could take down a computer system such as the authority's in an effort to disrupt government operations. In short, Illinois agencies are on alert for cyberterrorism.

They're being quiet about it, though. Mary Reynolds, the governor's chief technology officer, says the state doesn't want to hand battle plans to terrorists. While officials are reluctant to discuss specifics — they don't want to identify potential targets or system vulnerabilities — they clearly are focused on minimizing the chances for such an attack. As a result, they're

examining their systems, everything from mainframes to networks, in an effort to plug any electronic holes.

At the same time, there's a national push for more research into cybersecurity issues. William Wulf, president of the National Academy of Engineering, says comparatively little money has been spent to back research in this area. According to Wulf, that means the research product tends to be more conservative. "When there is not much money around, people don't propose radical out-of-the-box ideas," he says. "They work within a comfortable little framework."

U.S. Rep. Sherwood Boehlert, a New York Republican, is sponsoring federal legislation that would direct \$880 million over five years to cybersecurity research programs at the National Science Foundation and the National Institute of Standards and Technology. As of mid-April, that measure was pending in the U.S. Senate.

Clearly, there is a balance to be struck: Governments and the people they serve simply are getting more dependent on computers. Vendors doing business with the state can in some cases transact deals online. Last month, taxpayers could file their taxes online. In virtually every arena, computers increasingly are being used to facilitate state services.

But while information technology can help government work more efficiently, increased use of such technology heightens exposure to a cyberattack from terrorists and everyday hackers. And, as communities grow to depend on technology, they become vulnerable when systems malfunction.

Should the criminal justice authority's system go down, police officers would not be completely stranded. To tap into LEADS, the state police database, an officer simply would need to radio the department's dispatcher, who could connect to LEADS and relay information back to the officer. As recently as the mid-1980s, that's how police officers conducted business.

"The function doesn't cease even in the case of a disaster and/or simply a power outage," Reynolds says. "It's just done by voice instead of by network."

But the old method takes more time and the information provided is not as comprehensive. And for police officers on patrol, quick and complete information, including a suspect's criminal history, is critical. "It's always a concern to me when we are potentially in a situation where we can deprive a law enforcement officer of information that they need for their safety or security or that of the community," says Kane, the authority's director.

The state auditor general's office, in an audit released last month, paints an even gloomier picture: "Should the systems become unavailable, police officers could be placed in peril, and police resources may be used ineffectively. Should a statewide disaster occur contemporaneously with a service crisis at the authority, the hazard to public safety could be vastly less manageable without the communications network."

And physical support elements, such as a generator for the criminal justice authority, are just one part of the anti-cyberterrorism equation. While security measures such as fences and doors that restrict physical access to computer systems are critical, officials also are concerned with keeping out electronic intruders.

To that end, government officials are trying to keep up. In Springfield, where the state's central computer facility is located, the Federal Bureau of Investigation and area computer security professionals monitor developments within their chapter of InfraGard, a federal program designed to help the public and private sectors better protect critical information systems by sharing information.

The U.S. Department of Justice requires that every U.S. attorney have a task force on terrorism. The task force for the central district of Illinois, which is based in Springfield, is deferring much of this responsibility to the governor's Terrorism Task Force, which has been aggressive in developing terrorism response plans.

"The Illinois people are really

addressing the response aspect to a large extent," says Assistant U.S. Attorney Patrick Chesley, the central district task force's coordinator. "What we want to be involved in is any investigations for criminal prosecutions or other actions that the government might take."

Still, the federal task force is examining a number of issues, including cyberterrorism. Chesley says that's because the U.S. attorney's office has extensive resources, such as several prosecutors focused on cybercrime. The office is "a little bit better" equipped than the state to handle cybercrime issues, he says.

And keeping up with cyber trends, whether it's the latest computer virus or the latest firewall to protect an information system, is a full-time job. No sooner has protective technology improved than hackers are burning the midnight oil trying to find a way through.

"You never say never because there's always a very sharp person out there who spends their days and nights devoted to trying to penetrate a system," Reynolds says. "For the most part, we have been very successful in being prepared and being able to protect against those things."

Reynolds is making other efforts to protect the state's systems: She's working to establish a council of information "security officers." In February, the governor ordered each agency to appoint such an officer to be responsible for "safeguarding the information technology assets of the agency." Reynolds wants to assemble those people into the council to help stay on top of information security concerns.

"The most important thing is that it's got to be everybody's business," says Pete Siegel, chief of information technology at the University of Illinois at Urbana-Champaign. "So we're educating not just the systems administrators on campus but also the faculty that you've got to keep your virus protection up on your computer, little things like that. You don't download things that say 'I love you' and it's from a stranger. Just don't open it."

As for hardware concerns, all

the players credit the Y2K scare with motivating governments, and businesses for that matter, to modernize computer equipment. The world, of course, survived Y2K, but not before an international mad rush to upgrade systems. And that rush left system administrators better prepared to fend off such threats as hackers or cyberterrorists.

"Those types of systems that could not have lasted through simple changes like the change in the century were older systems and they were the most vulnerable," says Kenneth Bouche, assistant deputy director of the information technology command at the State Police. "By going through Y2K and eliminating a large part of our most vulnerable systems, we in essence prepared ourselves for the future."

And while Y2K motivated such positive change, the threat of terrorism, particularly in the wake of the September attacks, also is pushing the state to progress in related technological arenas. In addition to motivating system administrators to be more sensitive to technological trends, the terrorist threat also is pushing the state toward a more integrated criminal justice system.

In December, the governor ordered the creation of the Integrated Justice Information System to develop plans to further integrate criminal justice systems such as those used by judges and law enforcement agencies.

"We're not just talking about the cop on the street who needs information for an investigation; we're talking about parole officers and judges and those people who make decisions about whether school bus drivers or teachers should be licensed," Bouche says.

As for the department's role as a protector of government information systems, Bouche says that's nothing new. He says state-level law enforcement agencies are used to protecting information. The twist: They have a new brand of perpetrators.

"No longer do we have to worry about people looking for criminal justice information," he says. "We have to worry about people trying to disrupt government services." □

BRIEFLY

LEGI CHECKLIST

The battle over state spending is well under way. With revenues falling far below projections, lawmakers face tough decisions about whether to cut programs, raise taxes or do both in the fiscal year that begins July 1. Last month, the Democrat-controlled House fired the first shot, moving to restore more than \$350 million in cuts Gov. George Ryan called for in his \$52.8 billion budget plan. Republicans have challenged that strategy.

Meanwhile, lawmakers met a deadline for moving substantive legislation out of each chamber of origin.

Teachers

The Senate is considering a House measure designed to help solve the state teacher shortage. It would establish state-funded scholarships for individuals preparing to teach in short-handed schools. Recipients would be required to teach in that district five years.

Telephone solicitation

The House is considering two Senate measures designed to curb unwanted sales pitches. One would create a "restricted call registry" and prohibit telephone solicitation to residential subscribers on the list. The other would prohibit calls to cell phones unless solicitors know the recipients won't have to pay charges or fees.

Abortion

The House is considering two Senate proposals to restrict abortion. One would let a parent sue a health care provider that fails to care for a fetus "born alive" during an abortion. A companion bill would define "born alive" as complete expulsion or extraction of a fetus that has a "beating heart, pulsation of the umbilical cord or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut and regardless of whether the expulsion or extraction occurs as

a result of natural or induced labor, Caesarean section or induced abortion."

Postpartum depression

The House is considering a Senate measure requiring the state to develop and distribute information about the "signs, symptoms, screening or detection techniques and care" of postpartum depression, a condition suffered by some new mothers.

Bus phones

The House is considering a Senate plan to preclude school bus drivers from talking on cell phones while driving. Drivers could use the phone only in an emergency, or when parked. And they could use certain two-way radios while driving.

DNA testing

The House is considering a Senate bill to expand the list of convicts who must submit DNA samples to a state police-maintained database (see *Illinois Issues*, March, page 8). It would require all felons to submit samples, which could be compared to genetic material collected at crime scenes.

Prescription drugs

Both chambers have advanced dueling plans to hold down the cost of medicine. The Senate GOP plan, under consideration in the House, would create a toll-free hotline so seniors could get information about qualifications for discounts. The plan also would commission a study to determine the need for catastrophic drug coverage for those seniors who don't qualify for public discounts but are highly dependent on prescription drugs. The House Democratic plan, under consideration in the Senate, is designed to cut state expenses by creating an office to manage the state's purchase of prescription drugs.

Surveillance

The Senate is considering House legislation to permit mass transit agencies to monitor the interior of

their vehicles with video cameras. Audio recordings would have to be confined to the passenger boarding or driver areas of the vehicle. And the transit agency would need to display signs in each monitored vehicle to alert passengers they were being recorded.

Liquor distributors

Taking its cue from a federal judge, the Senate moved to repeal a law designed to protect William Wirtz's liquor business. U.S. District Judge Joan Gottschall ruled the 1999 law, which made it more difficult for a producer to fire a distributor, violated the U.S. Constitution's Commerce Clause. Wirtz owns distributorships in Illinois and four other states. The House is considering the measure.

Tobacco money

The House is considering Senate legislation to block lawyers from receiving some \$900 million in legal fees they are seeking for representing Illinois in the national tobacco settlement. Attorney General Jim Ryan, the GOP nominee for governor, promised 10 percent of the state's recovery, which is expected to reach \$9.1 billion over 25 years. But Ryan's office is in court trying to keep the lawyers from getting more than the \$121 million in fees awarded by a national arbitration panel. Similar proposals have died in the Democrat-controlled House.

Juvenile justice

The Senate is considering House legislation to put some juveniles back into juvenile court. It would permit certain juveniles charged with adult drug crimes to petition for transfer. Over two decades, Illinois and other states passed laws that sent juveniles to adult court.

Heroin

The Senate is considering House legislation to stiffen penalties for possession of heroin (see *Illinois Issues*, April, page 6).

Capital reforms?

Gov. George Ryan's commission to reform capital punishment stopped just short of calling for abolition, but did recommend scaling back on its use. The group issued 85 suggestions for change after two years of study. Among them:

- Reduce the number of factors that can make a murder defendant eligible for capital punishment from 20 to five (see *Illinois Issues*, October, 2001, page 30), including eliminating murder committed in the course of another felony, such as rape or kidnapping.
- Prohibit the execution of mentally retarded prisoners.
- Bar death sentences for defendants convicted on testimony from a single, uncorroborated eyewitness or jailhouse informant.
- Mandate police videotaping of interrogations of potential suspects in capital crimes.
- Empower judges to impose a natural life sentence even if the jury rules in favor of the death sentence.

Ryan tapped the group after 13 prisoners were exonerated or released from Death Row in Illinois. The committee's recommendations are not binding. They must be approved by lawmakers or the Illinois Supreme Court.

Daniel C. Vock
Statehouse reporter; Chicago Daily Law Bulletin

Governor's political fund faces corruption charges

Allegations of criminal activity in the secretary of state's office during George Ryan's tenure reached top-level management and resulted in legal accusations against the governor's political organization.

The latest indictment marks the first time federal racketeering charges have been leveled against a political campaign organization. Two of Ryan's top aides also were charged.

Scott Fawell, who was Ryan's chief of staff and campaign manager, has pleaded not guilty to corruption charges. Citizens for George Ryan, Sr., the campaign fund, also pleaded not guilty. But former Ryan campaign aide Richard Juliano pleaded guilty and is cooperating with authorities.

These charges stem from the ongoing Operation Safe Road investigation by the U.S. attorney's office in the northern district, which has uncovered widespread bribery of state employees for issuing commercial licenses to unqualified truckers. Some of the money went into Ryan's campaign kitty. One unqualified driver caused the deaths of six children.

The 80-page indictment released last month alleges that, between 1992 and 1999, the defendants engaged "in a pattern of criminal activity" that included mail fraud, bribery and obstruction of justice.

The governor has not been accused of wrongdoing.

Fawell allegedly used secretary of state resources and personnel on political campaigns, rewarding them with promotions for political work. He allegedly falsified documents to secure those rewards, and authorized payments to employees from a consultant for campaign work in order to cover his tracks. Prosecutors also say Fawell ordered documents destroyed to conceal the enterprise and lied to investigators.

The governor's campaign fund has hired Notre Dame Law Professor G. Robert Blakey as part of its defense team. Blakey drafted the Racketeer Influenced and Corrupt Organizations (RICO) Act under which the campaign has been charged. He's expected to argue the act is misapplied in this case, but in a written communication he would only tell *Illinois Issues* that he "will reserve my comments for open court directed to the bench."

Rodd Whelpley

UPDATES

• Chicken pox will become a required vaccine next school year because a joint legislative committee chose not to nix the health director's recommendation (see *Illinois Issues*, September 2000, page 24).

• The Illinois Supreme Court again upheld a \$3.2 million award to families of four children whose battles with a rare cancer followed a gasification plant cleanup in Taylorville (see *Illinois Issues*, March 1998, page 28).

• President George W. Bush signed campaign finance reforms that will, after the November election, ban so-called "soft money" contributions to national political parties (see *Illinois Issues*, January 1999, page 21, and February 1997, page 32).

Scandal by the number: Operation Safe Road

Charged	48
Convicted	43
Acquitted on all charges	0

All figures as of mid-April. The first indictment was issued in 1998.

EXCERPT

Feds' allegations against the political fund

The primary objectives of the CITIZENS FOR RYAN-SOS OFFICE Enterprise were 1) to improperly and unlawfully utilize and otherwise divert SOS Office personnel and resources for the use and benefit of and to promote and support the activities of CITIZENS FOR RYAN and SCOTT FAWELL-supported campaign activities; 2) to perform official acts in return for campaign benefits to CITIZENS FOR RYAN, SCOTT FAWELL, and other agents of CITIZENS FOR RYAN; and 3) to promote, conceal and otherwise protect certain SOS Office employees and certain unlawful SOS Office campaign activities performed on behalf of CITIZENS FOR RYAN from public exposure, administrative action and possible criminal prosecution.

Ronald Allen on racketeering

He's the John Henry Wigmore professor of law at Northwestern University in Evanston, and an expert on evidence and criminal procedure.

Illinois Issues' contributing editor Rodd Whelpley talked to Allen about last month's indictment of Scott Fawell, Richard Juliano and Citizens for George Ryan, Sr. This is an edited version of that conversation.

Q. What is racketeering?

Racketeering under federal law is an enterprise in fact, which means a group of individuals who are associated, who conduct their affairs through a pattern of racketeering activity. A pattern of racketeering is two or more specific criminal acts that are listed in the statute that include your common crimes of violence and intimidation.

Q. There are 20 alleged acts of racketeering in this indictment. Does that mean prosecutors would have to prove at least two of them for a conviction?

That's correct. The prosecution has to prove two acts of racketeering within a 10-year period that the enterprise has used as the means of conducting their affairs.

Q. What organizations are routinely charged with racketeering?

This all comes out of the RICO statute, which stands for Racketeer Influenced and Corrupt Organizations Act, that was passed by Congress — it must be 20 years [ago] — as a tool to prosecutors to help them in their fight with organized crime. The idea was the peculiar organization of organized crime, like the mafia, made it hard to use then-existing tools of prose-

cution. So this was the response, to create a crime that involved not a conspiracy as such, but simply an organization that conducted their affairs through this so-called "pattern of racketeering activity."

The initial thought in Congress was that this would apply to organized criminality. The statutes are not so limited, however, and there is both criminal and civil racketeering liability. And the organizations to which the criminal and civil statutes have been applied run the gamut, frankly. It has included corporations and labor unions, or at least these charges have been made.

Q. So if an organization does have a legitimate legal purpose but some people within that organization are involved in what could be racketeering, the whole organization can be charged?

That's essentially right. It's the enterprise itself that can be charged with racketeering, or the people who are involved in the enterprise. If there is a legitimate organization, that too can be charged. It has many advantages. In criminal cases, it allows you to trace the proceeds of illegal activity and forfeit them.

Q. Prosecutors are seeking at least \$1 million in forfeiture from Citizens for Ryan. How is that figure arrived at?

They can trace the proceeds of illegal activity. If the government can show that a certain amount of dollars were a consequence of illegal racketeering activity, that amount is forfeitable to the United States. How the justice department came up with the figure, I haven't got a clue.

Q. If Citizens for Ryan were to be found guilty, does that necessarily mean there would be any legal consequences for George Ryan?

It would affect him in the sense that he would not have that [forfeited] money available. Beyond that, there is no formal legal consequence to him as a result of a conviction in these cases. □

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CONGRESSIONAL CLOUT

Illinois loses, tiny town gains

Illioplis has one grocery store, one gas station, two restaurants — and three congressmen.

In fact, that tiny central Illinois town managed, in a lucky draw of the decennial remap, to acquire considerable clout per capita, or at least, come November, the attentions of an impressive proportion of the state's delegation to the nation's capital.

Illinois' U.S. rep contingent dropped from 20 to 19 under the new map, but Illioplis' delegation tripled. Sure, Chicago has more districts, but, then, Illioplis has fewer than 1,000 inhabitants.

And it isn't as though they plotted a power play or anything. For years, they were proud to claim their town lay at the geographical center of Illinois (until a new measurement moved it a few miles north), and to remind all comers that they once hoped to host the state capital back in 1814 when discussions of leaving Vandalia were warming up. But this latest turn of events came as something of a surprise.

"No one knew. Just as we didn't know until we opened the materials for the day," Marge Stout, an Illioplis election judge, says of the March 19 primary. Still, the town's 903 registered voters seemed to take things in stride.

Adds election judge Cindy Wilson, "The confusion was that no one anticipated it happening, being split up like that." For most of the primary's polling hours, Wilson says Illioplis' election judges attempted to draw out for themselves how the district map fell across the town. "We would have liked to have seen a map, but nobody knew who had one."

It's possible a map wouldn't have lessened the confusion. Many political roads, from far-flung places, now lead to Illioplis, which will be represented by the 17th District, a seat currently held by Democrat Lane Evans, from the northwestern Illinois town of Rock Island; the 18th, currently represented by Republican Ray LaHood of Peoria in west central Illinois; and the 19th, currently represented by Democrat David Phelps of Eldorado in southern Illinois.

But Illioplis isn't the only small burg with bragging rights to a big congressional delegation. Lanesville Township, down the road to the west, didn't even have 200 residents counted in the census. Yet it also will be represented by three congressmen. Nearby Mechanicsburg, with 456 residents, will have three. And with fewer than 9,000 residents, Chatham, just south of Springfield, will have three.

They can thank the wonders of democracy — and the machinations of remap.

Ryan Reeves

Walk through Wright

Homes designed by the late architect Frank Lloyd Wright get frequent visitors, yet many are not available for public viewing. But on May 18, the owners of eight private residences in the Chicago suburbs of Oak Park and River Forest will open their doors for a rare look at the interiors of Wright's buildings, courtesy of the Frank Lloyd Wright Preservation Trust's fundraising tour.

One home featured on this year's Wright Plus Benefit Housewalk is the architect's 1902 Arthur B. Heurtley House. The tour will celebrate the house's centennial with the unveiling of a complete restoration by the current owners.

In addition to four other Wright buildings, residences designed by some of Wright's contemporaries, including a 1910 William E. Drummond home, are on the tour.

Established in 1974, the Frank Lloyd Wright Preservation Trust manages the restoration, preservation and presentation of two significant structures: Wright's home and studio in Oak Park and the Frederick C. Robie House on the University of Chicago campus.

Photograph by Rourke Johnson



Frank Lloyd Wright designed this house in 1902.

Beverly Scobell

Courtesy of Hedrick Blessing Photographers



The Sears Tower in Chicago is the tallest skyscraper in the city. It changed its corner of the West Loop into a commercial epicenter.

Building books

Chicago is known for its architecture. Now a new set of miniature books by the Chicago Architecture Foundation will profile some of the city's most famous buildings.

The first in the series, issued in March, is *Marshall Field's*, a concise history of the man and his flagship State Street store that in the late 19th century was the largest department store in the world. Never forgetting his customers, Marshall Field hired architect Daniel Burnham, who in 1909 wrote the *Plan of Chicago*, to create a place where the public would be "dazzled by opulence."

The second, *Sears Tower*, is available this month. It describes how the nation's largest retailer commissioned the nation's largest headquarters, then made it even larger after learning the design was only 10 stories short of being the tallest building in the world.

Written by architecture historian Jay Pridmore, the books are small, only about five inches by six inches and 70 pages, but they contain vivid photographs. At least six more are planned, featuring the Rookery and the Reliance Building (due out next spring), the Wrigley Building, the John Hancock Center, the Auditorium, the Merchandise Mart and the Aon Center.

Beverly Scobell

FILM STAR

Producer puts bad guy's life on film

"It's much easier not to do these things," David Kidd says of his project, a film documentary on the historically slippery story of Charlie Birger, the late southern Illinois gangster.

Kidd, a senior producer with WSIU-TV at Southern Illinois University in Carbondale, has been gathering information and footage for *Charlie Birger: Never a Good Man*. He's been interviewing experts on Birger and his gang, compiling an image database and working with collectors of Birger memorabilia. He's shot footage at the Benton jail museum, where Birger spent his final days. And Gary Deneal, author of *A Knight of Another Sort: Prohibition Days and Charlie Birger* (see *Illinois Issues*, September 1999, page 32), has provided more than 100 hours of audio interviews he collected while researching his



Charlie Birger

biography of the gangster.

But the real difficulty will lie in separating folklore from historical fact. And, as expected, Kidd has run

into conflicting accounts. "Even our historians are going to disagree," he says, "because gangsters operate in secrecy." Press coverage of the time can't be trusted, either. After all, Kidd argues, they were trying to sell newspapers.

Jak Tichenor, another TV producer at WSIU who is working on the project, agrees. "There's a lot of myth involved with Charlie Birger and it's hard to see through that."

The filmmakers hope to bring Birger into focus by getting as many perspectives as possible. Tichenor says his colleague is doing nothing short of "sending out a casting call for history."

The focus is Birger's "sociological function" in the Illinois of the 1920s. "Birger was a flash of color in an otherwise gray existence," says Kidd. And how people felt about that is precisely what he plans to showcase.

"We'd all like to remember him fondly," Kidd says of Birger's "Good Time Charlie" persona. But Birger's other side, the one that won him a public execution by hanging, was that of a bootlegger, thief and killer. Kidd puts it bluntly. "We have to expose the man for what he was: just another gangster."

The film is slated to premiere April 19, 2003, the 75th anniversary of Birger's hanging.

It also will mark the first wide-screen production by WSIU-TV. And Kidd hopes to offer the public more information on Birger through the Internet and possibly a DVD with bonus material. "An hour isn't enough time to showcase all the clips we want to, but it all depends on the funding we get."

The Illinois Humanities Council is providing \$10,000 of the \$150,000 projected cost.

"A lot of good people turned their backs and let this happen," Kidd says of the culture of Birger's day. But now people want to regain that past. His film aims to provide a glimpse into an Illinois many have lost, or never had a chance to see.

Ryan Reeves

They're in there.
Talking about something.
But sometimes, talking
isn't the problem.
It's understanding
that's difficult.

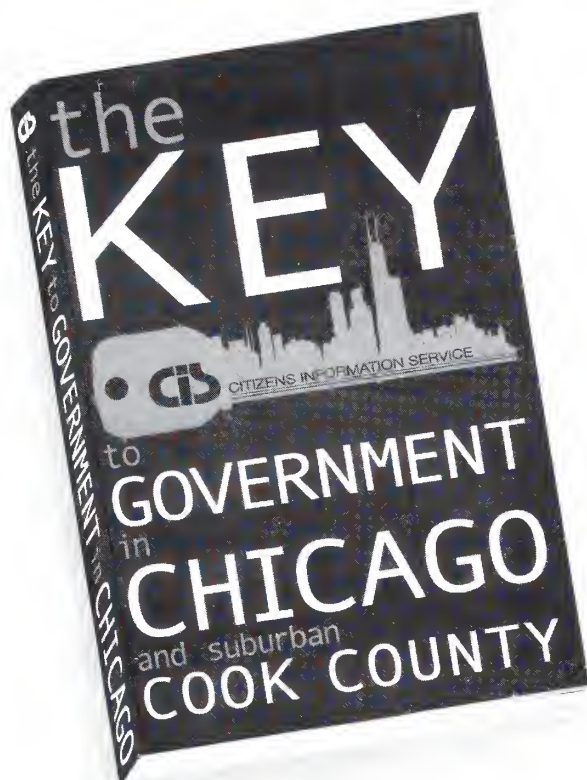
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Terrorism's cost hits home

State government and local governments from Chicago to Fairview Heights are building an expansive network to combat potential attacks. How far they go depends on money

by Aaron Chambers

Photographic illustrations of the Springfield Fire Department by Terry Farmer

Delbert Marion feels as though he's in the bull's-eye. East St. Louis, where he's the police chief, is at the center of the state's most densely populated area outside metropolitan Chicago. It's heavily industrialized, too, including chemical plants in nearby Sauget. And, situated across the Mississippi River from St. Louis, it's a major transportation hub. In short, Illinois' Metro East region could make an attractive target for terrorists.

"We sit in the middle of the nation," Marion says. "We have in the area some of the very things that these individuals would target as a way of crippling the economy of our nation."

So Marion is mobilizing. Following the September 11 terrorist attacks, his department renewed contacts with the state police and with police departments in surrounding jurisdictions. Over the past several months, they've been developing plans to respond to potential terrorist events.

As it stands now, the East St. Louis police have a mutual aid agreement with other police departments in St. Clair County and neighboring Madison County, which can be useful when departments need extra help in an emergency. Without it, local police officials' authority would be limited to their own jurisdictions and to surrounding jurisdictions within the same county.

The agreement is a start. But, in dealing with a catastrophic attack, Marion says mutual aid is no substitute

for the dollars necessary to equip and train his officers and other so-called "first responders," including firefighters and emergency medical technicians.

"We're not too far out of sync with what needs to be done because most of the things are in place, except for extensive manpower and equipment," Marion says. "We just don't have money. And money is a big issue."

Another is politics. At stake is not only the number of federal dollars available to respond to terrorism attacks across the country, but how those dollars will be distributed.

Illinois already has received \$7.6 million in homeland security grants from the feds, money that was allocated through the U.S. Department of Justice during fiscal years 1999, 2000 and 2001. The Illinois Emergency Management Agency, which, together with Gov. George Ryan's Terrorism Task Force, is coordinating the state's anti-terrorism plan, anticipates another \$7 million in justice department grants during the federal government's current fiscal year, which ends September 30.

About a fifth of those funds is earmarked for local governments to prepare their first responders with basic protective equipment should they encounter a terrorist threat. The state emergency agency, which is purchasing and distributing the equipment to local officials, has offered St. Clair County equipment worth \$30,000. The county asked for 10 self-contained breathing apparatus units worth about \$3,000

each: eight for the county's hazardous material, or hazmat, team and two for the health department.

Even more dollars may be on the way to East St. Louis and other Illinois local governments. In his proposed fiscal year 2003 budget, President George W. Bush asked Congress for \$3.5 billion to fund state and local government homeland security initiatives. Under that plan, Illinois would receive an estimated \$100 million from the pot during the federal government's fiscal year 2003. The money would be directed to the state, but the state would be required to redirect 75 percent of those dollars to local governments. The states could provide more, of course. And the governor's task force has pledged to raise to 80 percent local governments' share of the federal homeland security dollars that come to Illinois.

Thus far, the state has put the bulk of those federal grant dollars into equipping and training local government-based response teams and into statewide response teams designed to assist in the case of a terrorist event.

Beyond that, Gov. George Ryan's administration is kicking in state funds to buttress the state's terrorism response network, though not nearly as much as the amount proposed by President George W. Bush. Last November, the Illinois legislature approved a supplemental appropriation of \$16.9 million in general revenue funds for homeland security measures,

including \$2.85 million for the Department of Public Health to enhance its laboratories for bioterrorism testing and another \$2.5 million for the department to begin building a pharmaceutical cache.

Illinois officials have reason for concern. Chicago is the third-largest city in the nation and a top transportation hub. The rest of Illinois is woven with urban centers such as Rockford, Peoria and Champaign. And Illinois has more nuclear reactors — 11 operating reactors at six sites — than any other state, according to the state Department of Nuclear Safety.

Since its formation two years ago — long before September 11 and the ensuing anthrax scare — the governor's task force has been organizing a multifront strategy to combat terrorism. Major components include creation of special teams to respond to biological agents and other weapons of mass destruction, coordination of fire departments and hazardous material teams across the state and construction of an electronic disease surveillance system.

"By and large the state's role in both terrorism and disaster planning is as the second responder," says Matt Bettenhausen, the state's homeland security director. "It's to provide the additional support to those who are out in the field, who are the first responders, the police and firemen working the streets in each town, city and village throughout the state."

There are few critics of the state's spending priorities. The only controversy — a quiet one, to be sure — is whether federal dollars for homeland security should be controlled by the state through the task force or funneled directly to local governments.

Kenneth Alderson, executive director

of the Illinois Municipal League and a recent addition to the task force, says he's comfortable with the group's plan, so long as the money is distributed under an agreement between the state and local governments that specifies how that money should be spent and within what priorities. Some percentage of the money, he says, must be allocated for first responders.

"If you're setting up hazmat teams to respond to an area, I don't know that it would be highly beneficial to have Virden, Illinois [a small town southwest

sponsoring legislation that would funnel most of the \$3.5 billion directly to such cities as New York and Chicago, rather than through the states. She contends cities know best how to satisfy their public safety needs. Her plan is backed by the U.S. Conference of Mayors, which represents the nation's larger cities.

Closer to home, Peoria County Sheriff Chuck Schofield has raised concerns about distribution of the dollars, too. Schofield's county, together with Tazewell and Woodford counties

and the city of Peoria, also is expecting a grant — almost \$75,000 — from the Emergency Management Agency. Since the tri-county region already has two high-capability hazmat teams, the four governments decided that most of the money will be used to equip law enforcement personnel with protective gear. They also asked the state to purchase a decontamination trailer to serve the whole region.

Still, Sheriff Schofield calls "risky" the state task force's plan to strategically distribute the federal money, rather than simply giving it to such cities as Peoria. He notes that terrorists could strike anywhere.

"I'm on rocky ground even looking for basic equipment to run the department, let alone go out and get the equipment with local dollars that I'd need to take care of an event such as that," Schofield says. "I really don't know of a lot of places that are in a lot better shape than we are."

Kay Harmon, director of Peoria's Emergency Services and Disaster Agency, which is directing distribution of the grant monies, takes a different tack: "It's not enough money. But I think we were fortunate to get what we got and we continue to apply to wherever we can find grant money."

Budgets are tight. As Illinois local



Jim Price

of Springfield] have a hazmat team," Alderson says. "And if Virden, Illinois, was getting the money directly and they said they were going to have the hazmat team, I start seeing problems: Who has the long-term ability to support the hazmat team, and the personnel, equipment and training and all that type of thing?"

Nevertheless, control of the dollars has become part of the debate. On Capitol Hill, lawmakers could consider an alternative to the Bush Administration's plan for homeland security spending. U.S. Sen. Hillary Rodham Clinton, a New York Democrat, is

governments construct their spending plans for fiscal year 2003 — most local budget years begin May 1 — the Illinois Municipal League's Alderson anticipates that some will consider how much they'll need to spend to support whatever homeland security measures are implemented. Specifically, he expects local officials to be concerned about maintaining equipment once they've acquired it and continuing to train personnel to respond to the possibility of extraordinary circumstances.

"If Springfield has a hazmat team and it doesn't get used for a period of time, two or three years, you're either going to have to have simulations to keep those people trained or they're going to have to go back through a refresher to have them trained," he says. "Well, that means time they aren't in the fire station or whatever. I think there's going to be an increased cost of operation as we look at the future."

Indeed, Michael Chamness, director of the state Emergency Management Agency, says local governments will be expected to cover their share of the costs of keeping equipment and personnel current.

In some cases, local governments already have been stretched to strengthen their security systems. Between September 11 and December 31, the city of Chicago spent \$2.04 million in overtime to staff its police, fire, water, streets and sanitation, aviation and transportation departments, according to the city budget office. And in its fiscal year 2002 budget, the city appropriated an additional \$76 million for "emergency preparedness" measures.

Smaller communities are struggling to cover their own costs. "It hasn't been cheap," says Jim Finley, chief of police for Leland Grove, a tiny municipality encircled by Springfield. "Obviously, you can't place a price on the value of security and heightened responsibility — the response to situations and the ability to react. I don't think anybody is complaining about the cost; the only complaint, obviously, is that we didn't anticipate it."

Nevertheless, police departments, fire departments, mayors and others involved in anti-terrorism efforts at the

local government level seem generally content to let the state decide where to aim the money. Because Illinois is working with finite resources, they say, it's appropriate for the state to target those resources where they're most needed.

Of the \$7.6 million in federal grants, the state is spending \$1.6 million on fitting first responders with basic protective equipment. Counties must apply to the state Emergency Management Agency for a share of the money, which is being distributed in grants of at least \$15,000. As of mid-April, the agency was still responding to applications.

Another \$1.6 million will be spent to fully equip and train members of the state's 32 hazardous material teams plus four teams that are evolving. The remaining \$4.4 million will go to train and equip three nascent statewide interagency response teams.

"The way I look at it, we have one opportunity to build a lasting capacity in this state because if you study federal programs, they start and they stop," says Chamness, who is chair of the governor's task force. "We're not going to be funding the fight against terrorism as the top priority in this country for the next 20 years."

As a result, the task force is building a statewide terrorism response network on multiple fronts. The federal funds are targeted at beefing up response teams at the local level, but the task force is aiming those dollars at high-population centers and at regional teams designed to respond quickly to a terrorist threat in any corner of the state. In addition, the task force is coordinating the efforts of existing emergency response teams.

There's a long-term payoff. If a worst-case scenario does not materialize, the state and local governments at the least will have a better system for dealing with some other disaster, such as a tornado or an outbreak of salmonella. As Chamness puts it, there's a "two-for-one value" in building the state's emergency response network.

"If you build your public health system so it can adequately respond to a bioterrorism event, the system also will be better prepared to respond to natural outbreaks of disease," he says. "And within the fire service, if you create a

better ability to respond to a high rise collapse based on a terrorist attack, you also will have built your system to respond to a high rise collapse because of tornados, earthquakes, fire, what have you. That's the approach that we're going to take."

The state's efforts on this front have been under way for some time. In January 2001, the Emergency Management Agency signed an agreement with the Mutual Aid Box Alarm System, a coalition of some 600 fire departments, as well as other fire departments and hazardous material teams throughout the state. If the governor officially declares a disaster, the associated fire departments and hazardous material teams can travel outside their jurisdictions while enjoying worker's compensation and liability coverage from the state. They also would be entitled to reimbursement from the state for expenses incurred in their travel.

In St. Clair County, Fairview Heights Fire Chief Don Feher says his firefighters have provided mutual aid to other firefighters in the region. But that cooperation, he says, has "pretty much been predicated on a handshake." If his firefighters were injured or his equipment destroyed in another jurisdiction, it wasn't clear who would be liable.

"Should we have done that? Should our insurance provider replace our truck for us because we destroyed it outside our community? Should workman's comp cover our people because they weren't fighting a fire in our jurisdiction?" he asks. "So with the [official mutual aid] agreement in place, now we have a formalized document that says we're going to help one another. And that removes a lot of that gray area. Our people are more protected."

As for hazardous material incidents, there are 32 designated teams located throughout the state, 27 of them rated to respond at the highest level. Another four teams are in formation. Jay Reardon, Northbrook's fire chief and the president of the Mutual Aid Box Alarm System, is directing upgrades. He says the teams are being equipped in stages over three years and by the end

of the second year — September 30 — all 36 teams should have the highest capability. “And every one of those teams will have identical equipment with a capability for chemical, biological and nuclear [incidents],” he says. “We don’t want 50 different systems out there. We want one statewide system with standardized equipment and comprehensive, reasonably good coverage.”

St. Clair County’s hazardous material team is among those receiving new equipment from the state. That team, formed in 1999, already had basic diagnostic tools and protective equipment. The first equipment installment from the state included a range of advanced and military-grade diagnostic tools to test for such chemical agents as nerve gas. The team also expects to get a Bioguardian tool that will permit team members to test for such biological particles as anthrax or smallpox.

“It’s kind of like a home pregnancy test; it will indicate a color change and it has an instrument that reads the change if the change is faint,” says Brian Donley, a chemical engineer and team member. “If the suspect biological agent is present, it will test positive. We’re initially going to be set up for anthrax. But when you purchase the tickets [that register the color change] for it, you can do smallpox and botulism and a lot of the other common biological agents.”

Chamness of the state’s emergency disaster agency says the best approach to strengthening the state’s response to hazardous materials is to build upon local capabilities and to ensure, through mutual aid agreements, that those teams will respond all over the state.

“Every community doesn’t have to mirror every other community in terms of their response capability,” he says. “The secret is that every community has to have access to those specially trained, specially equipped response

capabilities.”

On another front, the task force has spent the past year assembling three special interagency response teams. The teams — based one each in the northern, central and southern regions of the state — are composed of highly trained state troopers and members of the secretary of state’s bomb squad. They include representatives of the Illinois Emergency Management Agency, the state Department of Public Health, the state Department of Nuclear Safety and the Illinois Environ-

not designed to take the lead in a domestic terrorist situation.

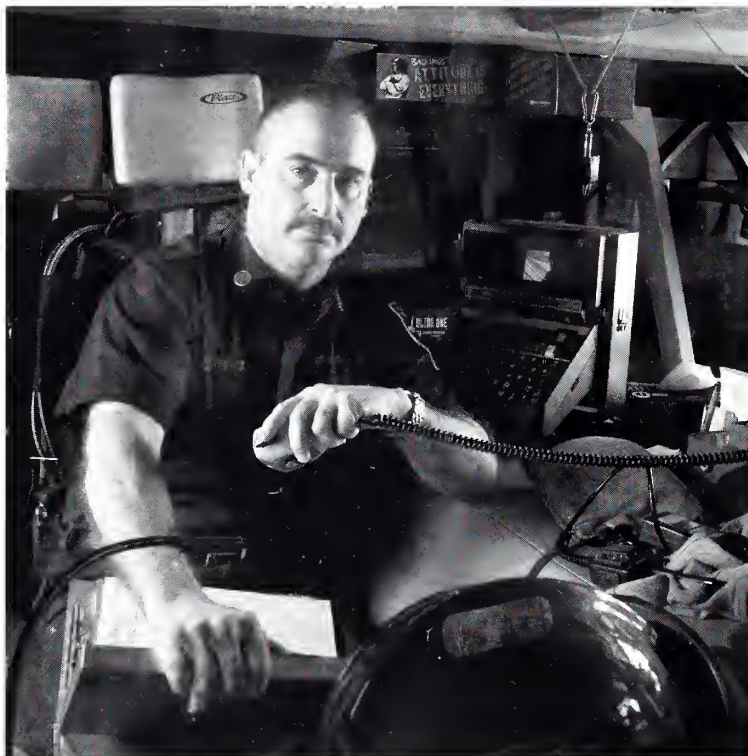
Thus, the task force put together the special response teams. The core group consists of law enforcement officers trained to handle weapons of mass destruction — biological, chemical and nuclear (or radiological) agents. The department representatives were added because their expertise and resources may be necessary to handle a disaster: public safety for biological incidents, environmental protection for chemical incidents and nuclear safety for radiological incidents.

Certainly, if Illinois does sustain a terrorist attack, the Federal Bureau of Investigation would be in charge of any long-term incident. But it could take hours for the bureau to assemble its troops and assume control. The state response teams are designed to respond early and, at the least, keep an incident contained.

Doug Brown, first deputy director of the Department of State Police and vice chair of the task force, says the new teams could respond most anywhere in Illinois within 30 to 90 minutes. “We’re not talking about 25 people being there in 30 to 90 minutes, but we would have a contingent on hand that would begin to assess, deploy and that

sort of thing,” he says. “We might have some difficulty with drive times in far southern Illinois or if the Dan Ryan [expressway on Chicago’s South Side] was jammed up, but pretty much anywhere in the state we can be there in 30 to 90 minutes.”

The task force also is working to advance cooperation among local law enforcement agencies. It asked the Illinois Association of Chiefs of Police and the Illinois Sheriffs’ Association to develop a plan for doing so. Forest Park Police Chief Edward Pope, chair of the chiefs association’s anti-terrorism committee, says his group is studying whether police departments should have



Captain Joe Serra

mental Protection Agency. All members of these teams have undergone more than 140 hours of hazardous material training.

Chamness says the teams were formed after a training exercise at the state fairgrounds. Participating law enforcement agencies were asked to defuse a terrorist incident in which terrorists were threatening human lives with a hazardous material. But the state police couldn’t handle the job because they’re not trained to deal with hazardous material. And the National Guard civil support team, which is trained to handle weapons of mass destruction, couldn’t do it because it’s

a statewide mutual aid deal similar to those among fire departments.

In fact, legislation pending in the Illinois House would grant police officers authority in other jurisdictions if they are invited by officials in those jurisdictions. Elmhurst Deputy Police Chief Peter Smith, vice chair of the police association's committee, says that while the legislation was conceived before the September terrorist attacks, such enhanced powers would enable police departments to better combat terrorism on a multijurisdictional basis.

"It could be useful not only for terrorism incidents or natural disasters — those are the two big ones that come to mind — but also for day-to-day police work, as well, where [officials in] one agency just need more help than what they can put on the street themselves and there's no existing mutual aid agreement between those two communities," Smith says. "It could be anything from a civil disturbance to a big fight at a bar or a banquet hall."

Public health also is a component of the state's terrorism response network. Essentially, public health departments are responsible for identifying and coordinating response efforts to outbreaks of disease or, in the case of terrorism, a biological attack. Through the federal Centers for Disease Control and Prevention, Illinois is expected to receive \$42 million to expand that infrastructure — \$30 million for the state public health department and \$12 million for the Chicago health department.

Dr. John Lumpkin, the state department's director, says Illinois intends to use a portion of that money to build an electronic disease surveillance network. He envisions a Web-based system connecting his department with local

health departments, hospitals, other local health care providers and laboratories. Those entities already operate a network for reporting disease outbreaks. But that reporting exists by phone, fax and mail. Putting the system online would put detection and analysis in virtual real time.

"By enhancing the public health infrastructure, it's not wasted dollars," he says. "If we never have a bioterrorism attack, we will have improved our agency's ability to protect the health of the public in other ways."



Steve Reavis

The state department also is planning to stockpile antibiotics that could be used to fight an outbreak of anthrax. The federal government already has such a stockpile, but it could take 12 hours to get supplies to Illinois. Lumpkin says that might not be fast enough to treat first responders and others who have been exposed. The state stockpile would be geared to serve in the interim.

In the Metro East area, St. Clair County Health Department Administrator Kevin Hutchison says his office has streamlined and consolidated

divisions in an effort to better prepare for a biological threat. In addition, his agents are striving to learn more about potential attacks, and to pass that information along to local health care providers. "All of us now know a lot more about anthrax than we did before last fall, and the learning curve was pretty sharp, but we're trying to learn more about the threats that may be coming down the line," he says.

As for the additional \$7 million expected from the federal government in the next few months and the \$100

million that also could be on the way, Chamness says his task force is studying how that money should be spent. He suggests a few items, though, that probably will be on the list because they are part of the task force's long-term strategy. They include equipping an Urban Search and Rescue Team that would be based in the Chicago area, building the statewide mutual aid component for law enforcement agencies, implementing a statewide disaster reporting/information system that would link state, county and local responders, and meeting increasing training needs for first responders.

Chamness and others who are building the state's terrorism response network can't know exactly what to expect from terrorists should they target Illinois. But they are preparing for the worst.

Don Feher, the Fairview Heights fire chief, is most succinct: "Who in the hell would have thought somebody would have run into the World Trade Center building, and who in the world would have thought somebody would have said, 'I've just poisoned you with anthrax because you opened this letter'? But there are ignorant people out there who have done that sort of thing, and they have to be dealt with." □

SENIOR RX

Illinois' new program to help low-income seniors pay for medicine has been called a "national model." But critics worry about the health of the state's pharmacies

by Maura Webber

Courtesy of the National Aging Information Center

Margaret Crane, a farm manager for most of her working years, comes from hardy stock and never expected to need much medicine. But the 65-year-old east central Illinois woman now takes seven pills each day just to help control her epilepsy. That's on top of the medication she takes for a range of ailments that include chronic pain in one foot, which had to be reattached after she was in a car accident several years ago.

The retired Homer woman spends \$58 of her \$745 monthly income for the drugs that keep her healthy. She pays for her prescriptions out of her own pocket because Medicare, the federal health insurance plan that covers about 40 million elderly and disabled Americans, does not pick up the tab. Though Crane pays \$49 each month for a supplemental insurance policy to bridge gaps in her medical coverage, she cannot afford drug coverage, too.

Crane is not alone. Except for some prescriptions issued in hospitals, basic Medicare coverage does not pay for drugs. As a result, an estimated 10 million Medicare recipients across the country are going without any form of prescription drug coverage. About half of those seniors are living on incomes that are above the poverty level, less than \$15,033 for an individual, according to a 2001 study by the Henry J. Kaiser Family Foundation. The problem threatens to grow. Drug prices are rising along with the number of seniors who are 65 and older. In Illinois alone the group is



expected to grow from 1.5 million to about 2 million in 2025, according to U.S. Census projections.

While federal and state efforts are under way to bridge this coverage gap, Illinois already has established itself as a leader with a new state/federal initiative called SeniorCare.

In June, the program will extend prescription drug coverage to an

estimated 368,000 seniors who have low incomes but still earn too much to qualify for Medicaid, the jointly funded state and federal program that provides drugs and medical services to the poor. While critics say SeniorCare's additional costs could force some pharmacies to close or cut services, advocates for the elderly welcome the initiative.

"Clearly, Illinois is in the forefront," says Donna Ginther, government relations liaison for the Illinois legislative office of AARP [the American Association of Retired Persons].

The program, which won a federal waiver earlier this year, is particularly attractive to states because it provides federal funding to expand prescription coverage. Such assistance was previously offered only by a patchwork of state-funded programs.

Richard Cauchi, manager for the health care program at the National Conference of State Legislatures, says Vermont got federal approval to do a similar pilot project for a small number of seniors back in 1996. But the announcement of Illinois' SeniorCare program drew attention across the country because it is much larger and because it coincides with the federal government's encouragement of other states to pursue similar options.

"That made SeniorCare into something that was more than just an experiment," Cauchi says, noting that at least 11 states are considering this approach.

SeniorCare is not the first Illinois effort aimed at helping lower-income elderly with drug costs. In 1985, Illinois created the Circuit Breaker/Pharmaceutical Assistance Program, which is now funded by state general revenue dollars and Illinois' federal tobacco settlement money. Like SeniorCare, that program covers low-income seniors with higher incomes than those eligible for Medicaid. It assists single seniors with a 2001 income of up to \$21,218 and couples with incomes up to \$28,480.

By contrast, SeniorCare will be available to any single person 65 or older earning \$17,720 or less, or any couple earning \$23,880 or less. Recipients will pay an average co-pay of \$3 for each prescription, though those with significantly higher drug costs will pay a slightly higher percentage of the cost.

While the existing Circuit Breaker program covers higher-income seniors than SeniorCare will, it was of no help to Margaret Crane. That's because it only covers certain prescription drugs used to treat a limited number of diseases that include heart and blood pressure problems and diabetes. Such drugs as seizure medications for Crane's epilepsy are not covered.

With SeniorCare paying for her seizure medications, Margaret Crane expects she will save about \$700 a year. She hopes that will improve her quality of life. After paying her housing and utility bills, she usually has little left to spend on fresh food; instead she relies on canned goods and frozen items. "I never have potatoes, onions or bread or anything extra like that," Crane says. "I'll live better."

The SeniorCare program is budgeted at \$193 million in fiscal year 2003, with \$100 million coming from the federal government. State officials don't expect the state will have to spend additional dollars. In fact, providing seniors with proper and timely drug treatments could cut state costs by reducing the number of people who end up needing costly hospital or long-term care. And the state also has crafted new — and controversial — initiatives to tighten the state's drug-buying system and to make it more efficient.

"The more money we save, the

more money there is for population expansion," says Matt Powers, administrator of medical programs for the state's Department of Public Aid. "What's important is we're able to do a lot of neat things."

For example, the state is simultaneously hoping to save about \$54 million annually through what it calls a supplemental rebate program that will affect SeniorCare and the base Medicaid program, the largest drug-buying entity in the state with a proposed pharmaceutical budget of about \$1.28 billion for fiscal year 2003. The program entails asking drug-makers for additional rebates on top of those already provided to Illinois' Medicaid program. The state will then draw up a list of preferred drugs, taking price as well as a drug's health impact into consideration. Drugs not on the list will require a special authorization.

And the state hopes to save an additional \$121 million by hiring a pharmaceutical benefits manager for Medicaid — a third party that will monitor the state's Medicaid drug-dispensing system and find ways to make it more efficient. This initiative will not directly affect the SeniorCare program, but it will preserve state revenue that could be made available to expand health programs.

But there may be risks. Critics of SeniorCare argue it could hurt the senior population in ways the administration never intended.

David Vite, president of the Illinois Retail Merchants Association, which represents a majority of the state's 2,500 pharmacies, says under SeniorCare and other programs a disproportionate share of the state's proposed savings will be borne by pharmacies. For example, Vite says about 120,000 seniors in the Circuit Breaker program will now be eligible for the SeniorCare plan. The new program will give seniors access to a greater number of drugs for which the state pays pharmacies less.

Under the Circuit Breaker, Vite says the state pays pharmacies a \$3.60 fee for dispensing each prescription, as well as a payment for the drug ingredients. The formula used for the price paid to the pharmacy for the drugs is based on

the average wholesale price minus 10 percent, Vite says. Under SeniorCare, the dispensing fee will be dropped to about \$2.65. The price to be paid for the drug ingredients also will drop. The formula for determining that reimbursement rate will be the average wholesale price minus 14 percent for brand drugs and 50 percent for generic drugs.

As a result of the hit pharmacies will take on their profits, seniors and all Illinois residents may see more pharmacies close or cut back on staff, he warns. Some pharmacies might be forced to cut out deliveries to homebound seniors, while others might simply stop honoring Medicaid, which covers 140,000 elderly in Illinois whose incomes are less than \$7,531 for individuals or \$10,149 for couples.

"Governments don't have the courage to slow down the acceleration of benefits. It's easier to tell Illinois businesses that they're going to pay them less," Vite says.

He could support creation of a restrictive drug list that would limit the number of the more expensive brand name drugs the state makes available to Medicaid recipients. But Vite is proposing a list that has more teeth than the one being developed under the current supplemental rebate program.

By contrast, others argue Illinois needs to do even more to help seniors pay for medicines and sort through the complex assortment of available services.

For example, the Illinois AARP is supporting state legislation that would ensure continuation of the Senior Health Assistance Program, which provides funds to area aging agencies that help seniors understand what assistance is available and how to apply for it. That bill would make the program part of state law rather than a budget line that could be eliminated, the association's Ginter says. In addition, her group would like to see expansion of a senior help line now offered by the Department on Aging. So many seniors flood the lines with questions about drug coverage that it's often difficult to get through, Ginter says.

The two major party candidates for governor also have weighed in on the politically volatile issue of health care costs for seniors. U.S. Rep. Rod Blagojevich, the Democratic candidate, credits himself with working to ensure the approval of the waiver that led to SeniorCare. And the Chicago congressman has other ideas for extending savings to every senior in the state. Such assistance would be paid for through a combination of state revenue, higher rebates from drug-makers and a 43-cent hike in the tax on a pack of cigarettes, which has been estimated to yield \$333.9 million annually.

Among the key elements of the Blagojevich plan is a proposal to negotiate better drug prices with manufacturers by pooling the purchases of seniors, state employees and the Medicaid program. While Blagojevich says this could save \$158 million annually, critics worry drug-makers could pose significant legal obstacles. Blagojevich also would provide discount cards to all seniors for a

one-time \$20 fee that would give them access to the same discounts on drugs as the state's Medicaid recipients. And he would offer catastrophic coverage for seniors who do not qualify for any state assistance but who spend at least 10 percent of their income on prescription drugs.

Illinois Attorney General Jim Ryan, the Republican candidate, also supports the SeniorCare program and proposes to work with President George W. Bush's administration to extend coverage to seniors with incomes of up to \$21,218 for an individual and \$28,480 for a couple. While this is the same as the threshold that is now in place for the state's Circuit Breaker program, expanding the SeniorCare income limit would benefit an estimated 150,000 because that program provides much more comprehensive drug coverage than Circuit Breaker does.

While SeniorCare is set to be available this summer, some officials say other proposals for holding down drug costs — the supplemental rebate program and the pharmacy benefits

manager for Medicaid — might not make it out of this spring's legislative session.

George Hovanec, deputy director of the state's Bureau of the Budget and Matt Powers' predecessor in the Department of Public Aid, says extending drug coverage is not easy. It demands sacrifices in the form of higher taxes or lower profits in the state's health care system.

"The will has to be there to live with consequences," Hovanec says. "And you don't know what the consequences will be."

Seniors like Margaret Crane — and others who would benefit if more of Illinois' elderly residents qualified for prescription coverage — are hoping state officials will find a way to help more people with their prescription bills. When SeniorCare kicks in, Crane may finally have some extra money that would buy her fresh food or new clothes. "I could sure use it," she says. □

Maura Webber is a Chicago-based freelance business writer.

PETER TO PAUL?

Politicians and educators are rolling up their sleeves to negotiate a state school spending plan for the coming year. It won't be easy

by Kristy Eckert

Oak Park and River Forest High School District 200 in suburban Chicago spends about \$13,600 a year on each student — nearly twice the average expenditure in Illinois. And under a proposal in Gov. George Ryan's fiscal year 2003 budget — which would take money from 22 categorical grants and redistribute it — that one-school district would get \$1.3 million more each year.

Hundreds of miles south in Clinton County, Germantown Elementary District 60 spends less than \$5,000 on each student per year. Yet under Ryan's plan — designed to boost the foundation level or base amount the state pays

toward the education of each Illinois student — that one-school district would lose about \$47,000 a year, according to preliminary figures from the State Board of Education. Superintendent and Principal John Raymer says he'd have to fire two teachers or go without new textbooks for a few years.

"I think that's kind of crazy," he says. "We've been pitting schools against each other for years. Really, this is just more of that."

But Ryan, facing a deficit, wants to cut state spending across the board. He has proposed to lawmakers a \$52.8 billion budget for the fiscal year beginning July 1. Under that plan, he

would spend \$6.1 billion on elementary and secondary schools, down from \$6.2 billion in estimated spending for the current fiscal year. And the governor has proposed taking about \$411 million in grant money that is now used to fund such programs as early childhood and bilingual education and redistributing it equally among students, upping the per-pupil spending foundation level and allowing schools to use the money as they please.

Through the existing grant program, some education money is earmarked in Springfield before it ever gets to schools. Ryan's plan would remove some of those earmarks, which is a

good plan in theory, says Ross Hodel, director of the Center for the Study of Education Policy at Illinois State University in Normal. But, he says, "The bottom line is, if you're not adding money to the entire budget, it's very difficult" to pass any program.

The only way to meaningfully improve the way the state funds schools is to spend more money, say some school finance experts. "You cannot shuffle money," says Robert Leininger, former state schools superintendent and chair of the state's Education Funding Advisory Board. "You cannot rob Peter to pay Paul."

Figures from the State Board of Education produced weeks after Ryan announced his proposal showed Chicago and other Cook County schools would lose, as well as downstate schools. The only region that would stand to gain are the majority of districts in the predominantly affluent collar counties surrounding Chicago.

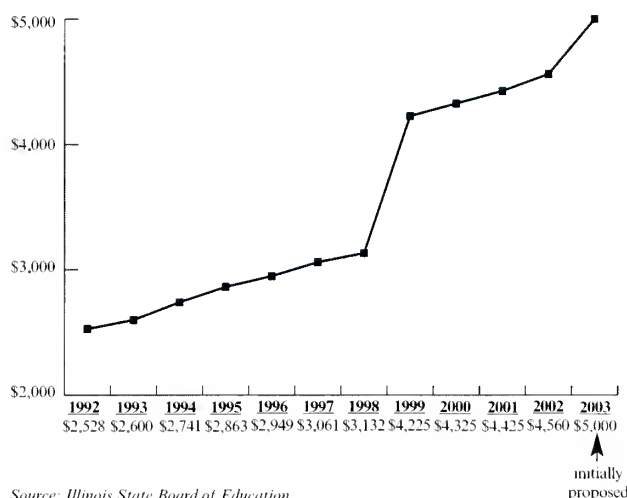
While the foundation level would jump from \$4,560 to almost \$5,000 per student, Illinois schools would get \$40 million to \$50 million less — and money that will have to be used to make up a shortage in the Teachers' Retirement System pushes the loss up to \$165 million, according to the Bureau of the Budget.

"You never want there to be any losers, but the reality is, everyone's a loser this year," says Hazel Loucks, Ryan's deputy governor for education. "It's just that there are so few dollars, and somebody had to come up with a solution."

Loucks notes that Ryan's solution gives schools spending flexibility and trims bureaucratic costs. Schools can use the general state aid money to continue funding the grant programs they consider most necessary.

"Local control is what they're always hollering about," she says. "And this would give them more local control."

Foundation level State per-pupil funding



The Illinois Education Association supports the plan for precisely that reason. "What we see is an opportunity for educators and not bureaucrats to make a decision how local money is spent," says Charles McBarron, the director of media relations.

But some educators argue that, instead of flexibility, loss of targeted grant dollars would simply tie their hands. Many of the grant programs are still mandated, they say, even without funding. The governor's office, though, contends that if the plan passes, bills repealing the grant requirements also will be passed.

"This is the first step in a long process of negotiations and counter proposals," says Colleen Atterbury, the Bureau of the Budget's division chief for education. If local districts have less to spend, they should have more power to decide how to spend it, she says.

Winners and losers by region Education spending proposed in Gov. George Ryan's fiscal year 2003 budget

Chicago	loses \$38,086,528
Other Cook	loses \$12,261,077
Downstate	loses \$46,565,825
Collar counties	gains \$32,745,735

Source: Illinois State Board of Education

Schools that lose money overall, though, might be forced to drop the grant programs in favor of funding basic costs. "School districts are not going to go and implement those programs on their own. It's just not going to happen," says Rep. Julie Curry, a Democrat from Mt. Zion who opposes the proposal.

In fact, the loss of specific grant funding for some programs drew such vocal criticism that Ryan responded in March by saying he now wants to preserve grant funding in three areas: early childhood, agricultural, and career and technical education.

The early childhood education program, for instance, aims to give a boost to more than 55,000 preschoolers who have shown signs they would struggle in school.

The realization that some critical programs may not be implemented without specific dollars attached is one reason Ryan decided to save the three grants, Loucks says.

As lawmakers wrangle with next year's budget, no one knows what parts — if any — of Ryan's education proposal will remain intact. But the three grants Ryan decided to take off the chopping block total about \$240 million — more than half of the original amount he intended to cut from categorical grants.

And that will require some recalculation. Every \$100 added to the foundation level costs the state about \$135 million to \$140 million, says Bill Hinrichs, state board senior policy adviser. So removing the trio of grants from the table would probably knock the proposed \$5,000 foundation level down by \$150, Hinrichs says, putting it at \$4,850. But if cuts are made elsewhere, the foundation level could stay at \$5,000, as Ryan initially proposed.

All parties agree the end product will not be what Ryan initially proposed. As a result, educators are rolling up their sleeves and negotiating. "We

are picking and choosing line items right now. We know we can't fund everything this year — it's impossible," says Ben Schwarm, director of governmental relations for the Illinois Association of School Boards. "Will it be exactly what the House has out there? No. Will it be exactly what the governor said? No. But I think it's going to be a hybrid of all of those."

A House education appropriations committee headed by Rep. Curry has a counterproposal that keeps most of the major grants, including early childhood and bilingual education, in place and raises the foundation level by \$120.

To increase the state's share of the cost of educating its students and shrink the spending gap among districts was a goal of Ryan's predecessor. Former Gov. Jim Edgar

created a plan that raised the foundation level for three consecutive years. That plan took the level to \$4,425 in the 2000-2001 school year before expiring. Ryan boosted it further, bringing it to the current level of \$4,560.

This fall, the Education Funding Advisory Board plans to release a proposal that Leininger says would dramatically alter the way schools are funded and would raise taxes. He concedes the proposal is unlikely to be politically feasible.

The challenge, as always, will be to strike a balance between the districts that win and the districts that lose. That balance is absent from Ryan's proposal to boost the foundation level through the elimination of grants, critics say.

The plan is "a serious, serious hit to

our schools" because it makes schools enemies and doesn't put students' interests first, says Donna Baiocchi, director of Education, Research, Development, a group that represents Cook, Lake and DuPage counties. Though Lake is one of the collar counties that would gain money under the plan, she says, "it shouldn't be about community versus community."

But the reality of limited funding remains and is something that the leaders of the less-well-healed school districts can understand.

"Something is going to have to give," Raymer says. "We don't like it, but we understand it." □

Kristy Eckert is a graduate student in the Public Affairs Reporting Program at the University of Illinois at Springfield.

REALITY BITES

Fiscal fallout from the federal stimulus plan will make a difference in the state budget, as well as in the spending plans of school districts and local governments

by **Anthony Man**

The Chicago school system will lose. City government in Decatur will feel the pinch. And the cash-strapped state of Illinois will be out hundreds of millions of dollars.

The sudden, unexpected revival of a federal economic stimulus plan earlier this year dealt a major blow to Illinois state finances. Illinois schools, municipalities and other local governments will feel the bite, too. But the biggest loser will be the state's general revenue fund.

The Illinois Department of Revenue estimates a \$216 million reduction in state revenue and a three-year loss topping \$590 million. Local governments, including school districts, stand to lose \$149 million in the first year and \$400 million over three years.

"It's a big hit," says Stephen Schnorf, director of Gov. George Ryan's Bureau of the Budget. House Majority Leader Barbara Flynn Currie, a Chicago Democrat and a senior member of her chamber's Revenue Committee, agrees. "Given that everybody talked about the way-scaled-back nature of this package, I was amazed that it turned out to have such significant repercussions," she says.

The eye-popping figures have placed the issue near the top of the to-do list in the budget-driven spring legislative session. No question, decisions about ways to handle the fiscal fallout will make a big difference in the state budget, as well as in the spending plans of school districts and local governments throughout Illinois.

Why will the state lose? The reasons

for this are both simple and complex. The stimulus package includes several federal tax breaks for businesses, but the one that will have a major impact on government finances is a provision allowing companies to accelerate the depreciation of their assets. That will mean larger and faster deductions from corporate income. Here's the clincher: Because the Illinois corporate income tax is linked to federal taxable income, reductions in federal corporate income taxes automatically translate into reductions in state revenue from corporate income taxes.

Why will school districts and other units of local government lose? Partly it's because of the way Illinois distributes money to those governments. Under the local government distributive formula, the state

automatically sends a portion of state income tax dollars to municipalities and counties based on population. The Department of Revenue estimates the one-year reduction at \$25 million.

The big dollar loss for local governments, though, will result from the decline in the corporate personal property replacement tax. This was a reform envisioned by the 1970 Illinois Constitution. The change eliminated the personal property tax, which was levied on assets ranging from automobiles to machinery located in factories, and replaced it with an income tax known as the corporate personal property replacement tax.

The federal stimulus package will result in an estimated reduction in the corporate personal property replacement tax of \$125 million in the first year. Proceeds from that tax are distributed to any local government that had a personal property tax in 1977 through a formula based on that local government's share of the statewide total. A district that had 0.1 percent of the personal property tax then gets 0.1 percent of the corporate personal property replacement income tax proceeds today.

In short, any change is magnified for urban areas such as Danville and Peoria that had more equipment-filled plants and inventory-packed warehouses decades ago. The city of Decatur, for example, stands to lose \$315,000 in the first year. School districts and local governments in Rock Island County stand to lose a combined \$3.8 million a year.

Normally, school districts would not have to worry. Illinois State Board of Education spokeswoman Kim Knauer says such reductions are offset for most school districts a year or two later by the intricacies of the state school aid formula. However, the size of this reduction would require the state to pump tens of millions of dollars into general state aid — money the state doesn't have now. Without a massive additional infusion of state dollars, the state-guaranteed per-pupil spending level for all districts will have to go down to make up for the money that will have to go to those districts experiencing a decline in the personal

property replacement tax.

Other local governments will simply be out the money. They would have to raise taxes or cut services.

As for the state's coffers, Schnorf says the federal government's action was one more problem in a year of problems. The \$216 million first-year loss is part of what some estimate will be a \$1 billion shortfall in general revenue.

Still, the problems caused by the stimulus package are not permanent. Eventually the losses would stop and could even reverse. If businesses receive benefits from accelerated depreciation early on, they will not have the values to depreciate and deduct later, explains Mike Klemens, spokesman for the state's revenue department. Ultimately, they might pay more in corporate taxes unless Congress changes the law again.

Yet the immediate effects of the federal law are severe enough that some legislators and interest groups want to unlink the state corporate income tax from the federal corporate income tax, something referred to around the Statehouse as "decoupling."

Decoupling proponents include the American Federation of State, County and Municipal Employees Council 31, which represents public employees. "Illinois should not let itself be penalized and slash services because the federal government reduced federal corporate income taxes," union officials said in a position paper.

But the idea has its critics. Douglas Whitley, president of the Illinois State Chamber of Commerce and a former director of the state's revenue department, says he would oppose decoupling. He says the state should follow the federal lead. "Every state in this union has to pull together to help the nation's economy as a whole," he says. "When the Congress acts, they're trying to act in the best interests of the nation as a whole. And part of our obligation as a part of the United States is to recognize that they're trying to make decisions to improve the economy of the whole country."

Further, Whitley argues that decoupling would discourage businesses from creating jobs in Illinois and make the income tax

The eye-popping figures have placed the issue near the top of the to-do list in the budget-driven spring legislative session.

system too complicated.

Currie disputes both points. "Very few business decisions are made based on what the Illinois income tax liability will be," she says, adding that corporations could adjust to a tax system that's a "little more complicated."

The political reality is that some rank-and-file legislators in both parties are anxious to avoid the stimulus-created budget pain, especially for local governments. Sen. Frank Watson, a Greenville Republican and an assistant majority leader, says Whitley's position might not prevail. And Sen. Denny Jacobs, an East Moline Democrat who serves on his chamber's Revenue Committee, says decoupling needs to be part of the end-of-session revenue and spending package.

"We're going to have to remove ourselves from the federal bill even though the [state] chamber is opposed to it. We cannot afford both on the state level and on the local level to take that big a hit."

For his part, House Speaker Michael Madigan, a Chicago Democrat, says he's concerned about politicizing the issue. If decoupling is widely viewed as a tax increase, it could make it much more difficult to enact. In fact, Madigan won't even address Whitley's argument that decoupling would amount to a tax increase.

"For someone to step out and say x, y or z about any of that just encourages others to come up with political responses," he says. "This is a dire budget situation, and if people are interested in fashioning a decent budget, they ought to avoid politicizing the thing." □

Anthony Man is Springfield bureau chief for Lee Enterprises Inc. newspapers.

Political angels

Members of an exclusive club of givers manage to stay behind the scenes despite pumping astounding sums of money into campaign coffers

by John Kelly

Guys like Paul Vallas need guys like Irving Harris.

Harris, a billionaire tycoon-turned-philanthropist, wrote the former chief of Chicago's public schools a check for \$50,000 just days before Thanksgiving. It was the largest check Vallas' struggling campaign for governor had received to that point. It came just in time. Vallas' anemic campaign fund badly needed money to buy television commercials downstate, where many voters had never heard of him. He lost the Democratic primary to the better-funded U.S. Rep. Rod Blagojevich, but he might not have come as close without money from such benefactors as the former Chicago businessman.

Harris made a difference, and not just for Vallas. He handed out checks worth almost half of a million dollars last year to candidates and to political action groups that pass money on to candidates. This put Harris near the top of a list of key political donors, making him a member of an exclusive club of givers who somehow manage to stay behind the scenes despite pumping astounding sums of money into campaign coffers.

Their reasons for donating vary widely, from personal ties to a candidate to zealous promotion of a pet cause, but they're also strikingly similar. They're all very rich. All are successful at what they do. They are mostly white, mostly men and mostly

from Chicago. Most are current or former executives of corporate empires or scions overseeing mammoth personal or family fortunes. And they gave more money to political causes last year than the typical Illinoisan earns in a year.

They're guys like Gerald Forsythe, whose Indeck Energy Services gave more than \$100,000 to Attorney General Jim Ryan's winning bid for the Republican nomination for governor. Or activist Jack Roeser, who gave \$381,000 to GOP gubernatorial candidate Patrick O'Malley and other candidates who vow to slash taxes and restrict abortions. Or Harris, who donated \$416,000 to persuade state leaders to spend more tax dollars to educate kids from birth instead of waiting until they turn 5 and go off to kindergarten.

"The money continues to escalate, and it continues to come from the wealthy and special interests far more than the average citizen," says Diane Brown of the Illinois Public Interest Research Group. "That's a concern. When issues are decided, who has more influence: the special interests or the average person?"

Over the past year, as politicians and parties scurried to pile up the dollars they need to win the governor's mansion and control of the General Assembly, they went back to the traditional cash cows: such special

interest groups as utilities, insurers, teachers, unions and casinos. However, they also called on this select group of individuals, who spent similarly large sums from personal bank accounts or company coffers to support someone who might become the governor, or a leader of the state legislature or the head of some local or state government agency.

Motivations aren't clear for most of these givers because they refuse to talk to reporters. They include such individuals as Aon Corp. Chief Executive Officer Patrick Ryan and Arlington Park Racecourse Chairman Richard Duchossois. The few who do talk often say their donations were more about influencing a specific issue than boosting the fortunes of any particular politician.

"School readiness is a huge problem," says Harris, whose family sold its Pittway Co. to Honeywell for \$2.1 billion in 2000. "If kids aren't ready for school, they don't learn well themselves and disrupt the learning for other students."

He says government ought to spend more money on programs that start educating infants when their brains are ripe for development. Even preschools and programs such as Head Start come too late, he believes, and don't help kids whose parents are not teaching them at home.

Harris, who wrote a book about

the plight of undereducated urban children, says he also backs abortion rights because unwanted children are more likely to have parents who do not prepare them for school. He gave \$250,000 to Personal PAC, which helps abortion rights candidates.

Jack Roeser, on the other hand, is a long-time conservative activist. An inventor, he once ran for governor himself. Now he's spending money made through his OTTO Engineering Co. in Carpentersville on the Family Taxpayers' Network, which has built an army of volunteers and candidates.

"I'm trying to do something about the politics in Illinois," he says. "I want to help grassroots, conservative candidates get the money and learn the techniques they need to really compete and win modern elections."

Most of Roeser's money went to one man, state Sen. Patrick O'Malley, the conservative candidate who sought the Republican nomination for governor. Pressed about what he hopes to gain through his donation, Roeser says O'Malley was "the right man" to root out the corruption he believes permeates state government.

The man who provided the most money to politicians last year stands apart from the rest for one reason: He's an African American. Joseph Stroud is responsible for more than \$1 million of the \$1.2 million raised last year by Democratic gubernatorial candidate Roland Burris, the former comptroller and attorney general who was the first African American elected to statewide constitutional office in Illinois. Stroud, whose holdings include Chicago television and radio stations aimed at black viewers, gave loans, cash and commercial time

continued on page 29

Top 10 individual donors in 2001

The totals for some include donations made by their companies or relatives. Donations or loans from the candidate or relatives were not included. Two top donors are families that tightly control one large business empire.

1. **Joseph A. Stroud**, Oak Brook **\$1,094,170**
Owner, Jovon Broadcasting Corp.
2. **Irving B. Harris**, Chicago **\$416,250**
Former owner, Pittway Corp.
3. **John (Jack) Roeser**, Carpentersville **\$381,850**
President, OTTO Engineering/Family Taxpayers' Network
4. **Richard Duchossois and family**, Arlington Heights **\$229,215**
Chairman, Arlington Park Racecourse
5. **Stuart P. Levine**, Chicago **\$199,704**
Lawyer, former member Illinois Gaming Board
6. **Fred Eychaner**, Chicago **\$146,000**
Owner, Newsweb Corp.
7. **M. Blair Hull**, Chicago **\$138,000**
Investor, Matlock Capital
8. **The Pritzker Family**, Chicago **\$133,600**
9. **Patrick G. Ryan**, Chicago **\$132,250**
Chief executive officer, Aon; chairman, Ryan Holding Corp., several development companies, casino interests
10. **Fred Krehbiel**, Hinsdale **\$126,000**
Owner, Molex Corp.



Source: State Board of Elections records

Compiled by John Kelly

Impact of proposed limits

Here is how contribution limits proposed by Lt. Gov. Corinne Wood would have affected the 2001 fundraising of the six primary candidates for governor. Wood's plan would bar people, companies and interest groups from giving more than \$2,500 to any candidate in each primary and another \$2,500 in each general election. Her plan would stop any candidate or elected official from donating more than \$10,000 from his or her campaign fund to another candidate. The review, based on State Board of Elections records, applied the limits to all donations and loans from outside sources. It ignored contributions or loans from the candidate or relatives. The review also ignored a \$900,000 cash swap involving U.S. Rep. Rod Blagojevich's federal and state campaigns and the Democratic Congressional Campaign Committee, which is legal and not specifically addressed in Wood's proposal.

Democrats

Rod Blagojevich

2001 total raised: \$3,438,253

[REDACTED]

Amount lost under proposed limit: \$1,258,929

Roland Burris

2001 total raised: \$1,202,647

[REDACTED]

Amount lost under proposed limit: \$1,100,109

Paul Vallas

2001 total raised: \$1,207,355

[REDACTED]

Amount lost under proposed limit: \$493,008

Republicans

Patrick O'Malley

2001 total raised: \$2,739,712

[REDACTED]

Amount lost under proposed limit: \$464,818

Jim Ryan

2001 total raised: \$2,956,015

[REDACTED]

Amount lost under proposed limit: \$1,566,172

Corinne Wood

2001 total raised: \$3,004,464

[REDACTED]

Amount lost under proposed limit: \$860,845

John Kelly

through two of his firms, Jovon Broadcasting and Telephone USA. He's not talking about his contributions. Stroud has supported Democrats in federal elections but rarely spends on state politics, and he did not return telephone calls to his home or Chicago-area offices. Burris would not even confirm Stroud owned the two companies that provided loans, free broadcast time and cash worth more than \$1 million. Instead, Burris says only that the companies support "good government."

For group donors, motives often are more transparent. The Illinois State Medical Society, which gave \$367,000 to politicians in both parties, is interested in laws and rules affecting doctors. The Illinois Wholesale Association, which handed out \$205,000, works for liquor dealers. Phone company Ameritech and its subsidiaries spent \$206,000 on politics because telecommunications issues continue to receive attention from state regulators.

Regardless of the source or reasons, advocacy groups are concerned about the size of political donations in Illinois — one of the few states in the country with no limits on how much people, companies and special interests can donate to campaigns.

An analysis of donations to the six gubernatorial candidates shows that about one-third of the \$15 million they raised in 2001 came from individuals giving more than \$2,500 — the donation limit proposed during the campaign by Lt. Gov. Corinne Wood. In fact, had Wood's proposal been in place during 2001, the six candidates for governor would have raised at least \$5.7 million less. That money came from 581 donors who gave more in 2001 than Wood's proposal would have permitted.

"That's striking. In a state of 12 million people, a relative handful of people donate the bulk of the money," says Cindi Canary of the Illinois Campaign for Political Reform, which has long lobbied for election law changes. "I know some people with more people on their Christmas card list."

Michael Lawrence, formerly an aide

to Gov. Jim Edgar and now associate director of Southern Illinois University's Public Policy Institute, says big donors are not going away as long as the cost of television advertising in Chicago and the price of statewide campaigning spirals upward and, seemingly, to new records each cycle.

"It's a fact of political life in Illinois that to run a viable statewide campaign, especially for governor, you've got to compile a large campaign treasury," he says. "So unless you've got incredible personal wealth, it's necessary to rely on these major donors who can contribute large amounts of money."

In stumping for her plan to limit campaign donations, Wood made no specific allegations of wrongdoing surrounding large contributors. What she says is that the chance for undue influence or even corruption runs high in a state where campaigning is so expensive and it is very difficult for a candidate not to notice who is writing the big checks that keep the election bank account in the black.

Attorney General Jim Ryan, who beat Wood and state Sen. Patrick O'Malley for the Republican nomination, argued that Wood's proposal raised constitutional issues and would do nothing to stop wealthy people such as his opponents from dipping into their personal fortunes to outspend all comers — making it hard for anyone but the rich to run.

Wood's loss may relegate the issue to the background in the November general election: Ryan opposes limits, and while Blagojevich said before the primary that he supports capping donations, he offered no details and said little about the issue on the campaign trail.

Ed Feigenbaum of Indianapolis, who has studied campaign finance laws in every state for the Federal Election Commission, says limits are not a magic bullet. As soon as a new rule is set, professional fundraisers go to work to find ways to get their money. Feigenbaum says journalists and public interest groups have documented countless cases in other state and congressional races when company executives passed out cash to dozens of employees, who were then

Meanwhile, with little real indication Illinois' legislators will act to cap donations nor any hint that the cost of campaigns will suddenly level off, candidates who want to win statewide elections will be left with little choice but to accept the big checks from guys like Joseph Stroud, Jack Roeser and Irving Harris.

asked to write checks in their own names to a specified candidate. In other cases, wealthy donors give money in the name of several different companies, their spouses and even their minor children.

"There are all sorts of ways around limits," Feigenbaum says. "What it does is make it a little more difficult and forces candidates and donors to subterfuge if they want to give more. And when that happens, you're able to raise very legitimate questions about why they would go to so much trouble to give more."

Meanwhile, with little real indication Illinois' legislators will act to cap donations nor any hint that the cost of campaigns will suddenly level off, candidates who want to win statewide elections will be left with little choice but to accept the big checks from guys like Joseph Stroud, Jack Roeser and Irving Harris. The results of the four highest-profile races in the March 19 primary reinforce that reality. The Democrats and Republicans who earned their parties' nominations for governor and attorney general had built the biggest campaign bankroll. □

John Kelly is a special assignment reporter for The Associated Press in Chicago, where he covers Illinois state government and statewide issues.

TRUST AND ANTITRUST

A new season has begun, and Illinois baseball fans can accept the chance to evaluate the quality of play, in the front offices as well as on the diamonds

Review essay by Rodd Whelpley

THE JOY OF KEEPING SCORE

How Scoring the Game Has Influenced and Enhanced the History of Baseball

Paul Dickson, 1996

Walker and Company

Bob Rosenberg has been a professional sports scorekeeper since 1961, when he broke in with the Chicago Packers basketball team. As far as he knows, he's the nation's only full-time professional scorer, keeping the books for the Chicago Bulls, Bears, and White Sox, as well as half the home games for the Cubs.

Official scorers have unprecedented collateral power, especially in baseball. It's their calls — not the umpires' — that determine which tough fielding chances are hits and which are errors. A hit here or there can translate into a fatter batting average for a second baseman or a higher earned run average for a pitcher, stats that mean millions at contract negotiation time.

That's cool clout for a position that pays \$125 per game. But there are pressures, too. One Rosenberg insists doesn't bother him is that so many

fans reserve the right to ignore his calls. Instead, they trust their own judgments, assigning hits, errors, wild pitches and passed balls as they see them.

In fact, baseball writer Paul Dickson in *The Joy of Keeping Score* sees scoring as one of the last elements of the game under the exclusive preserve of the fans. "Scoring is the fan's

game," he says. "It does *not* belong to the owners, the players, their union, or Major League Baseball. It is literally ours."

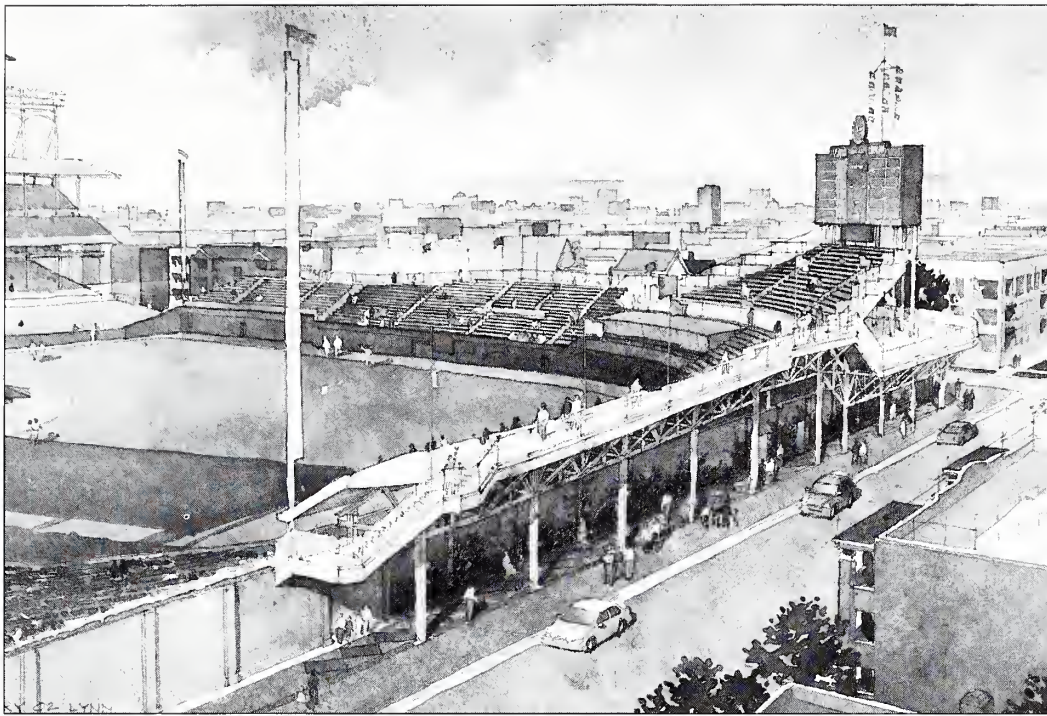
And there is quaint satisfaction in the 125-year-old low-tech craft of tracing little diamonds inside tiny boxes to record every pitch, hit, sacrifice and run.

But why be limited to the action on

the field? Professional baseball is a billion-dollar industry that, in many cases, relies on public dollars to finance its ballparks and the federal government to protect its sometimes arcane business practices. If, as Dickson suggests, fans have the right to score the games they see, then citizens have the duty to score the state of a game that has ingrained itself deep in American culture.

So, here's a card. Here's a pencil. And, though a pro such as Bob Rosenberg





Lake View voters want the Cubs to address neighborhood concerns before adding new bleachers to Wrigley Field.

would quibble with the system, here's how one fan scores a few early season at-bats for pro baseball in Illinois.

For the economics of baseball, mark a backwards K for a called third strike.

X

On the field, a X means the pitcher either made one hell of a pitch, or the batter wasn't protecting the plate. Even little leaguers know it's a sin to

get caught looking as the third one goes by. But a good long look at a nasty pitch is exactly what Congress got last year when Commissioner Bud Selig, for the first time ever, showed profit and loss statements for all 30 Major League teams.

Last fall, Selig raised the ire of congressional committees when, a month after the World Series, he

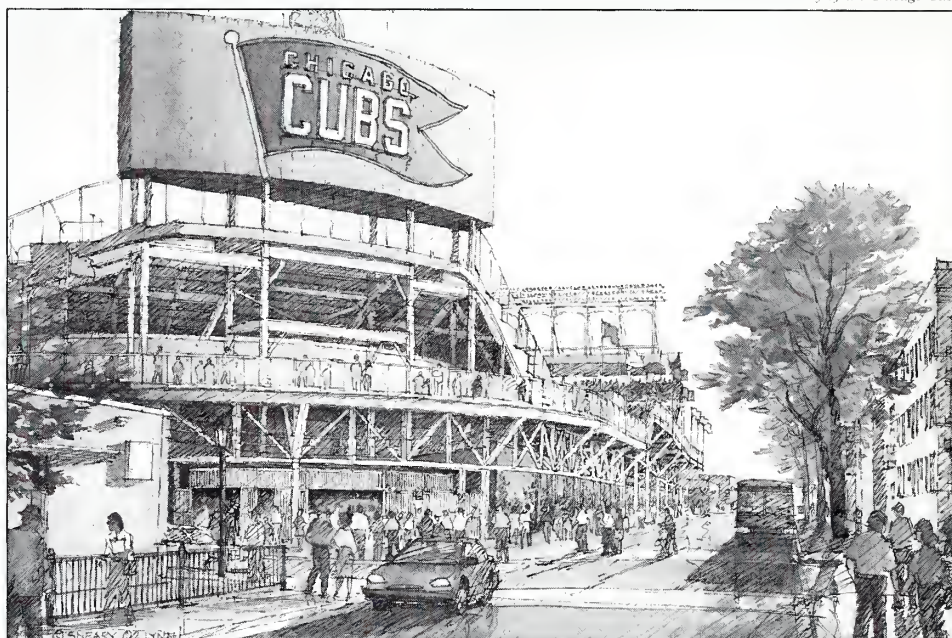
announced the league would shrink by two teams before the start of the 2002 season. This, despite a July 2000 report of a Selig-appointed independent panel that outlined remedies for the league's financial ills and said "there should be no immediate need for contraction."

Congress reacted to Selig's plan, drafting a couple of bills to limit

TEAM		RECORD	LOCATION	DATE	GAME NO.
NO.	PLAYERS	B/A POS INN	1 2 3 4 5 6 7 8 9	AB H HR RBI SAC SO BB E	
30	T. R.	2			
	SUB.				
1	J. A.	4			
	SUB.				
25	F. H.	14			
	SUB.				
1	T. V.				
	SUB.				
6	r	1			
	SUB.				
4	D.	3			
	SUB. Sax	7			
1	L. J.	2			
	SUB.				
20	R. K.	2			

For other information

- The “baseball basics” tag at the bottom of the home page of the Major League Baseball site, mlb.com, links to scoring rules and “how to” pages.
- A report of the commissioner’s blue ribbon panel on baseball economics is posted at www.mlb.com/mlb/downloads/blue_ribbon.pdf.



In March the Chicago Cubs released revised plans that would add bleachers to Wrigley Field and expand seating capacity by 2,100 seats.

baseball’s exemption from federal antitrust laws.

Unlike pro football, hockey or basketball, professional baseball enjoys antitrust protection thanks to a nifty, and now outmoded, legal fiction concocted by U.S. Supreme Court Justice Oliver Wendell Holmes in 1922. He ruled that the league itself was not a business involved in moving its product between states. Baseball, at least then, was a sport.

If Selig’s testimony last year accomplished anything, it demonstrated that if Major League Baseball is now a bona fide business, it’s a lousy one. Altogether, the 30 big league teams raked in more than \$3.5 billion in 2001. But they shelled out some \$3.7 billion in operating costs, and, when all was said and done, Selig’s unaudited financial statements showed Major League teams losing nearly \$519 million.

In a year when only five clubs made money, the Chicago White Sox were as mediocre on the spreadsheet as they were on the field. The South Siders got nearly \$31 million at the turnstiles and hot dog stands and another \$30 million in local broadcast rights. Total operating income amounted to nearly \$111.7 million.

But Sox management incurred more than \$50.6 million in operating costs

and put \$66.7 million in the players’ pockets. The total operating loss for 2001 came to more than \$5.6 million.

Then came the big hurt: \$4.2 million gone to the league in revenue sharing, for an after-revenue-sharing loss of \$9.8 million. On the plus side, the club showed \$2.2 million in interest income to reduce its total loss to \$7.6 million. (Of course, that may lead one to question why a team that required public financing for its ballpark has interest income.)

On the North Side, Chicago’s lovable losers, the Cubs, landed near the top of last year’s financial standings. The team ranked with the Kansas City Royals, Milwaukee Brewers, New York Yankees and Seattle Mariners as one of the only clubs to finish in the black. Still, in true Cub fashion, the income statement shows a \$17,000 loss for post-season expenses in a year in which the team missed the playoffs.

For fans used to poring over batting averages and ERAs, the calculations provide interesting oddities. Jim Banks, writing for *mlb.com*, wonders, for example, why the Cubs earn less than the Sox on TV and radio rights. Because the Cubs and their TV broadcast partner, WGN, are both owned by the Tribune Company, it could be that the Cubs are charging the station less

than fair-market value.

Numbers crunching aside, it’s hard to pin down the exact point of the congressional hearings. By opening day, all 30 Major League teams were set to take the field — at least for this year — and the bills to limit the league’s ability to contract were still warming the bench somewhere on Capitol Hill.

But Selig did get the numbers on the record. Baseball is officially a loser, a status that ironically could prove helpful in the next round of the often self-destructive labor negotiations, or whenever the league feels it’s prudent to go ahead and yank a few teams.

Already, the state of Minnesota, for one, is listening. Last month that state’s legislature, in an effort to get the Twins off the contraction short list, passed plans to help finance a new \$330 million stadium.

At the same time, downstate Illinois Cardinal fans are following the action as the city of St. Louis, the county and the state work to scrape up more than \$396 million toward a proposed new \$646 million ballpark and downtown development project. The Cards, according to Selig’s figures, made \$1.8 million on baseball operations last year, but lost a total of \$7.3 million after revenue sharing and interest income.

Early inning scoring in the Wrigley renovation debate

Former Yankee shortstop and broadcaster Phil Rizzuto developed the WW scorecard notation for those moments when he "wasn't watching."



Few, if any, media outlets outside metro Chicago were watching in March when 91 percent of voters in eight of the city's precincts near Wrigley Field flipped to the back of their primary ballot booklets to items 350 and 354. A punch for 350 meant yes, "issues of traffic congestion, inadequate parking and public urination [shall] be resolved to the satisfaction of the [East Lake View] Neighbors before any seating expansion of Wrigley Field is permitted."

The nonbinding advisory referendum tallied 1,012 yes to 247 no. "It has no legal affect," says Tom Leach of the Chicago Board of Election Commissioners. But the fantastic turnout — ballot fall-off for judicial races, for example, is often 50 percent — may make the Cubs take notice.

With no World Series since 1908, it's a generally accepted truth that a big part of the Cubs' draw is its ivy-strewn

88-year-old brick ballpark that fits perfectly into the architecture around Clark and Addison streets. And when last year the Cubs announced plans for a 2,600-seat bleacher expansion, a *New York Times* headline asked: "Alas! Is Nothing Sacred? Even Cubbies' Shrine?"

In dollars and sense, the move may not make the team more competitive. Last summer, Chris Isidore of *cnmmon* online magazine estimated the Wrigley renovation "would bring in about \$10.6 million in additional revenue a year, or less than the cost of a major free agent."

Still, the Cubs must get credit for being one of the few teams to own its stadium. And shouldn't property owners be allowed, if they choose, to ignore tradition and remodel?

Yes, says Charlotte Newfeld, chairwoman of Citizens United for Baseball in Sunshine, a subcommittee of the Lake View Citizens Council. But, she adds, "Whenever changes are made that take or concern public property, that concerns us."

To support the new bleacher structure, plans call for sinking vine-covered posts into the sidewalks along Waveland and Sheffield avenues. Members of the council find that would consti-

tute a nuisance similar to walking under El tracks. But their objections have less to do with aesthetics than with the quality of life issues that would arise from bringing 2,000 more people to the neighborhood 80 times a year.

"The area is already more congested than downtown Tokyo," says Newfeld. But she also cites the increased need for police, improved public transportation, extra trash removal and more rest room facilities as areas of concern.

For their part, the Cubs have attended meetings, promised more toilets and revised their plans, downsizing the expansion by 500 seats and pulling in the support beams. But, to the chagrin of some rooftop entrepreneurs, just before the home opener, the team installed wind screens that partially blocked the view from some of the bleacher seats on the buildings next to Wrigley.

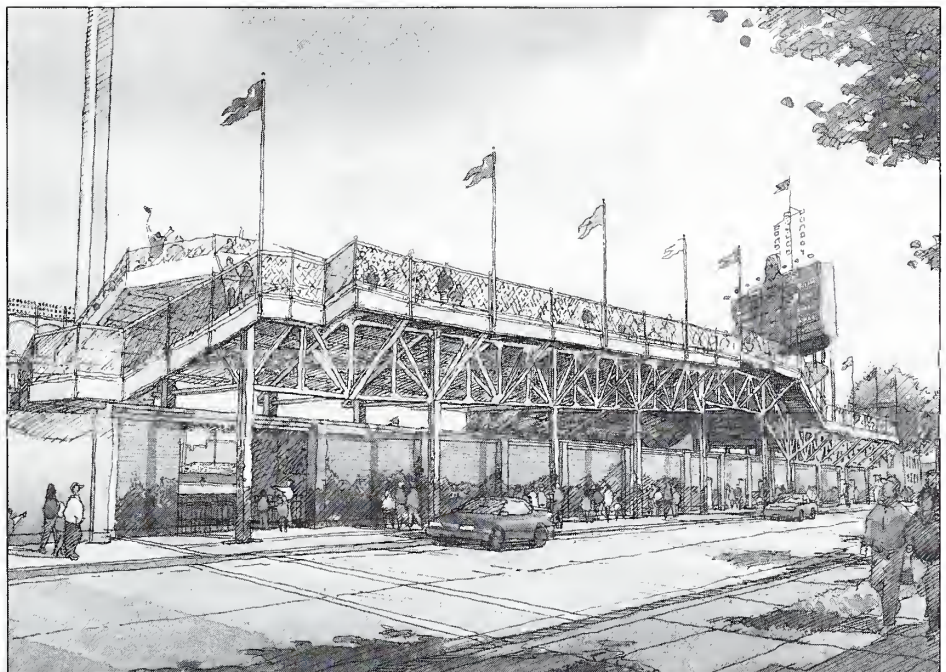
As the referendum shows, there's still work to do. The committee, says Newfeld, is "not opposed to baseball, [we] love it." But she questions the team's commitment to the area, noting that for the first time in many years the Tribune Company, which owns the club, has failed to pay the \$25 business-member dues to the Lake View Citizens Council.

Rodd Whelpley

Clearly there are some tough choices: retain the antitrust exemption, shell out public dollars to keep the home team home, cut the league's losses and drop a team or two. But all those options lie in the hands of the owners, the league and governments. And the relative merits of those options are tough to chart.

In the scorebook, it all comes out so clean. When the fielder has the option of putting out the batter, but instead puts out a different base runner, it's a fielder's choice — FC. The batter is charged with an at-bat but no hit.

Fans are realizing they have choices, too. The Cubs, Cards and Sox are not the only games in town. According to Minor League Baseball, single-A affiliates in Geneva, Peoria and the Quad Cities drew 797,955 people to Midwest League games last year.



Courtesy of the Chicago Cubs

Plans call for sinking posts into the sidewalks along Waveland and Sheffield avenues.

2001 financial scorecard as compiled by Major League Baseball

Commissioner Bud Selig presented only slightly more detailed versions of these income statements as part of his testimony to the U.S. House Judiciary Committee in December.

	CUBS	WHITE SOX
Total operating revenue		
(Includes, among other items, regular season game receipts, income from local media and national revenue)	\$129,774	\$111,682
Operating expenses		
(Includes player compensation and benefits, other local operating expenses and national operating expenses)	<u>\$124,977</u>	<u>\$117,369</u>
Income (loss) from baseball operations	\$4,797	(\$5,687)
2001 revenue sharing receipts	<u>(\$6,568)</u>	<u>(\$4,201)</u>
Income (loss) from baseball operations after revenue sharing	(\$1,771)	(\$9,888)
Income (loss) from baseball operations after interest	<u>\$2,894</u>	<u>(\$7,625)</u>

All figures in thousands. Adapted from material found at <http://labeled.mlb.com/hearings/overview.html>. Not all calculations are included.

Leaguewide, attendance was down only slightly, coming off a record 3.2 million plus fans in 2000.

But the minor leagues are subject to many of the same woes as the majors. (Ask fans of the Rockford Cubs, whose team — now the Dayton Dragons — left for Ohio in 2000 and led the league in attendance last year.)

Small cities want these teams for the real and perceived economic benefits they bring. The extent of that impact is probably impossible to quantify accurately, but Geneva's Kane County Cougars wrote a stadium rent check of just under \$700,000 to the county forest preserve last year. Quad City River Bandits General Manager Dave Ziedelis says his team puts \$4 million to \$5 million into the local economy.

But what the Major League gives, it also can take away. And that spurred Democratic U.S. Sen. Paul Wellstone

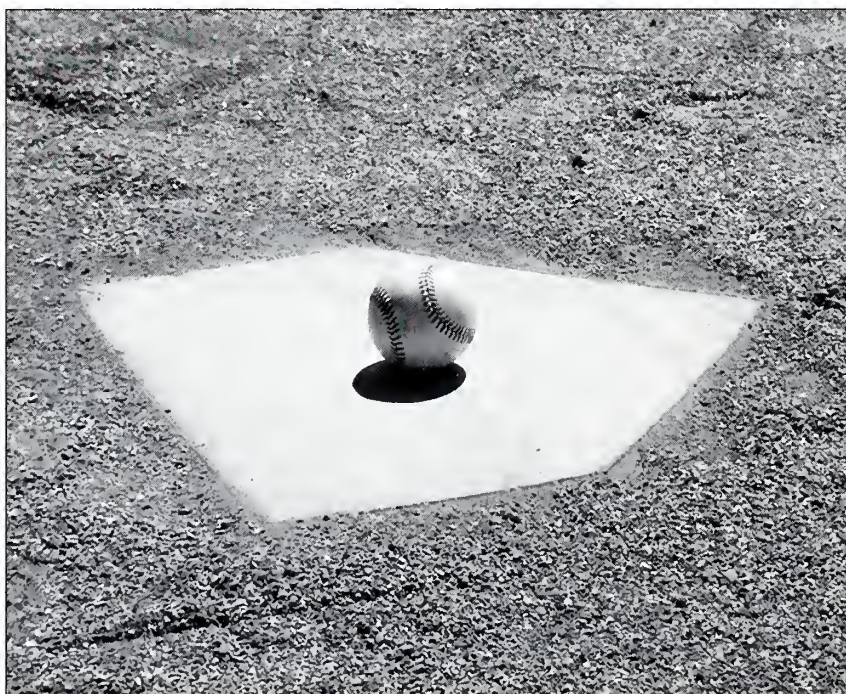
of Minnesota and Democratic U.S. Rep. John Conyers of Michigan to propose legislation to limit Major League Baseball's antitrust-protected right to drop teams. In a letter to drum up support, they wrote that "the elimination of Major League teams would likely wreak havoc and uncertainty in a host of Minor League cities." Among the teams Wellstone and Conyers singled out were the

Cougars and the River Bandits. They are affiliated with the Major League's Marlins and Twins, two clubs on the Major League's troubled list.

But Conyers and Wellstone may be off base. The River Bandits' Ziedelis says Major League contraction was among the least of his worries last winter. "We are guaranteed to have a Major League affiliate by contract with the Major League and Minor

League Baseball," he says, referring to a 1997 player development agreement that Major League teams will supply players to all 160 affiliated Minor League teams for 10 years.

In Geneva, it was new ownership at the big-league level, not contraction, that caused a small stir. Instead of being knocked out of the box scores, the Florida Marlins were sold to Montreal Expos owner Jeffrey Loria. (In a maneuver fraught with conflict-of-interest potential,



an entity comprised of the 29 other Major League teams bought the Expos to finance the deal.) That meant many on-field personnel from Marlin affiliates lost their jobs to managers and coaches from Expo affiliates. But the affiliates are independently owned, so Minor League front offices were not affected.

Jeff Sedivy, the firmly ensconced Cougars general manager, echoes Ziedelis' sentiments on contraction. "I don't think markets like ours would be affected [by Major League contraction] in any way," he says.

Still, the 1997 development agreement may not be iron-clad. According to Minor League Baseball spokesman Jim Ferguson, under certain conditions the Major League may terminate the contract in September 2003, if it provides notice this fall. One of those conditions is a congressional action

"that subjects Major League Baseball in whole or part to the antitrust laws," unless the big leagues ask for the change in legal status.

In other words, Conyers and Wellstone are right. What happens at the big-league level does matter in Geneva, Peoria and Davenport. But fiddling with the antitrust exemption may only do harm.

In *The Joy of Keeping Score*, Dickson advocates for the team error (TE), a concept unrecognized by Major League Baseball. For example, when two players collide but neither touches the ball, Dickson says it's unfair to the pitcher to score the play a hit.

"I think they should have it for things like mental errors ... where a guy advances, but he really shouldn't be there," says Rosenberg.

Officially, he can't use the TE. But

What happens at the big-league level does matter in Geneva, Peoria and Davenport. But fiddling with the antitrust exemption may only do harm.

fans can. And they should, especially for plays off the field, where this year the potential for mental errors, especially those related to contraction and the antitrust exemption, is excruciatingly high. □

ACCIDENT AND DESIGN

In a world of strange contingencies, planning the planet's environmental future is little more than guesswork

Review essay by Robert Kuhn McGregor

GREAT LAKES JOURNEY

A New Look at America's Freshwater Coast

William Ashworth, 2000

Wayne State University Press

Once upon a time, I was a halfway decent environmentalist. I could rally with the best of them, and pontificate, and worry, and envision a cold and unhappy future for humankind. I can still do all of these things, eloquently and sincerely. Clean water still seems like an awfully good idea, along with breathable air, an

earth riddled of its poisons. But somewhere along the way, I have lost the verve, the confidence that defines the true believer.

Twenty years of teaching history has done this. As knowledge of the past accrues, faith in the ability to face any problem rationally has to suffer. No, if humankind acts to preserve an

environment friendly to our own biological necessities, we will do so more by accident than by design. As a species, we simply do not see far enough, nor clearly enough, into the future. Even the best laid plans of environmentalists at times go awry.

That doesn't mean we shouldn't try. Only a proper sense of outrage has

The simple environmentalist solutions of the past are inadequate; the bumper stickers are not up to the task in front of us.

saved Lake Erie from becoming a stinking mess, cured the Cuyahoga River of catching fire. Things could be much worse, irretrievably perhaps. Unfortunately, averting the disasters that are staring us in the face is not the same as solving our problems, as we must continually relearn, to our surprise and our sorrow.

After decades of watching the cycle of crisis and mitigation, I have glimpsed at least the shadow of the truth: We do not yet know enough about the environment to fully understand what the problems truly are, much less solve them.

Still, I am in some ways, as George Orwell put it, a “fugitive from the camp of victory.” Surely the American nation is far more sensitive to its environment than it was 30 years ago. We have clean air and clean water acts, environmental protection acts, wildlife preservation and endangered species acts, toxic waste funds, all of them more or less blessings for an environment once beset by unchecked spoilage. The difficulty is, for all this effort, we have not made our land, our air, our water any healthier. We have only discovered that the web of the wilds and the web of our own industrial making have become inextricably meshed, affecting the environmental whole in ten thousand unexpected fashions. The simple environmentalist solutions of the past are inadequate; the bumper stickers are not up to the task in front of us.

It is something of a relief to discover

that I am not alone in these suspicions. Sixteen years ago, when I first began to focus my environmental research energies on the Great Lakes, I read with fervent interest a book written in 1986 by William Ashworth titled *The Late, Great Lakes*. Back then, Ashworth was a committed mainstream environmentalist, active in the Sierra Club, determined to save the planet. His book combined journalistic impressions of a long research journey throughout the lakes with meticulous research on their problems. In chapter after horrifying chapter, Ashworth chronicled the extractive abuse of the lakes by trappers, miners and fishermen; the callous disregard exhibited by cities, states and industries that made them open sewers; the insidious dangers posed by widely dispersed chemicals such as DDT and PCBs. For years, I have made *The Late, Great Lakes* required reading in some of my classes. Ashworth’s was, and remains, an impassioned argument on behalf of a shamefully neglected natural resource, one-fifth of the world’s fresh water.

Yet, even William Ashworth can be guilty of second thoughts.

Twelve years following publication of his classic, Ashworth undertook a return trip to the Great Lakes, visiting many of the same sites, talking to many of the same people who had provided him with hard evidence. Beginning in Wisconsin, he found his way back to the PCB-laden harbor at Waukegan, the industrially threatened Indiana Dunes, and, looping back, the goby-infested Lake Superior. Ashworth’s was a long and leisurely journey to discover the inevitable: Things really do change, and often in unexpected ways.

A dozen years can provide ample opportunity for reflection; more than a few of the changes have come to Ashworth himself. In *The Late, Great Lakes*, he never took the time to explain the impulse behind his impassioned pleadings for this endangered region of the world. Only in the new book does the reader discover that Ashworth saw the lakes for the first time as a member of the Oregon chapter of the Sierra Club, stuck with nothing to do on a grimy day in

Cleveland. A chance sighting of Lake Erie — almost invisible thanks to the built-up shoreline — touched off an excitement that grew to concern, then worry, and finally something very near despair. Back then, Lake Erie still teetered on the edge of biologic disaster, and similar horror stories abounded throughout the lakes. Armed with the standards of a Sierra Club lobbyist, Ashworth set off on a literary crusade.

By the late 1990s, he no longer associated with the Sierra Club. It was not that he had gone conservative in his dotage — an affliction that strikes too many of the unwary in my age cohort — but rather that he no longer could see the world as a series of simple formulae connecting A to B to C, a mode almost certainly required of any good crusader. The cause was good, the cause was crucial, but the standard environmentalist solutions left him cold:

I have come to mistrust preservation, which seems to me to partake of the same faulty worldview as does development: humans as fundamentally separate from nature, one the conqueror, the other the conquered. Both sides seem to view the human race as a monkey wrench, either delicately adjusting the machinery or being flung into it — a distinction which no longer appears to me to hold any real significance.

Armed with “slightly more wisdom,” Ashworth set out to rediscover his haunts of years before. Very soon, he began to grasp two essential truths, both apparently good news, and each oddly ominous in its implications. Quite simply, the truths are that much good has come of the legislation designed to protect and enhance America’s waterways, and that people have learned to love the Great Lakes. Both were doubtful propositions in 1986.

The Environmental Protection Act, the Clean Water Act and the Clean Air acts, the Toxic Waste Superfund and many related efforts have done much to impress upon folks how dirty the lakes were, and, what is more important, to spur efforts to clean them up. People can actually eat the fish caught in

Waukegan Harbor these days, once in a while anyway. All across the region, scientists, politicians and just plain folks can point with pride to environmental success stories such as this.

Weak though much of the environmental legislation is, the results are there — and that is where the danger lies. As Ashworth puts matters, all the obvious actions to save the environment have come to pass; there are no more rallying points, no unaddressed outrages. We have done good. And still, the environment degrades, slowly, inexorably, from countless tiny sources, each mostly innocuous in itself. Can the public be expected to bestir itself, protest so-called “non-point runoff” pollution? Or gradual mercury poisoning of the water? Will we fight for cleaner air still, when we have a Clean Air Act in place? The victories leave us jaded and tired, and without obvious crusades to launch. Still, the toxics creep in around us. We will lose the battle by attrition in the end.

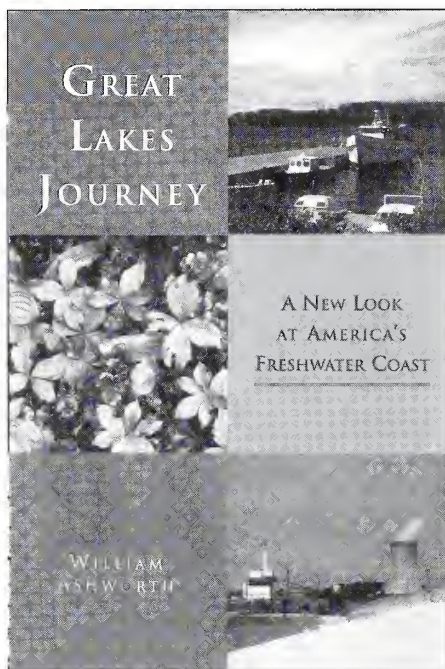
Back in 1986, what Ashworth found most troubling was that few folks living along the Great Lakes thought much about their presence. The freshwater seas were neither appreciated nor loved, but simply there. City, suburb, countryside, people just turned their backs, went about their business, accepting the lakes as passive scenery, little different from a billboard. Now Ashworth finds this is no longer true.

The wake-up call he and countless others bugled in the media has been heeded. People turned around, discovered what really attractive bits of nature these Great Lakes are, and embraced them. They are now in the process of loving the shorelines to the point of no return. From Wisconsin to upstate New York, everywhere he went, Ashworth found the same suburban sprawl mushrooming along the water's edge. Where views of open lake, open country predominated along so much of the coast 20 years and more ago, the land is now cut up, built up, fenced off, subdivided. Forest, meadow and marsh have disappeared, giving way to fast foods, merchandise marts and time-share condominiums. Everybody now wants to be the last resident to take up property on the waterfront before they bring a halt to

all this uncontrolled development.

How we do love our lakes these days.

They are at least prettier for all these new admirers to look at, and easier on the nose. Human action is responsible for this cosmetic turnaround, though not perhaps in expected ways. The issue of the present is the intrusion of exotic species into the lakes ecosystem. Ashworth encountered the handwringing just about everywhere he turned — gobies in Superior, lampreys in Huron, zebra mussels by the jillions just about everywhere. The gobies and the zebras hitched rides on freighters; the



lampreys sneaked in after the canals were built. Literally no one knows what the ultimate effects of these intruders may be, but one thing is certain. The zebra mussels, which collectively strain millions of gallons of water through their gizzards in search of food, are filtering lots of impurities out of the water. The invasive mussels have done more to clean up Lake Erie than human beings ever did.

Presumably there is some manner of moral here, but it is a tricky one at best. We have spent millions of dollars dirtying the lakes to an obscene degree, millions more trying to clean up our own mess, with limited results. Then, by sheer luck, we introduce a nondescript little beast that does the job so much more effectively. The downside

— always, there is a downside — is that the mussels have upset much of the essential marine ecosystem, driving several species of fish and shellfish to the far edge.

This is the price we pay for ignorant tinkering with nature: sparkling water and a barren ecology. In a world of strange contingencies, planning the planet's environmental future is little more than guesswork.

And yet U.S. Environmental Protection Agency Administrator Christie Whitman recently announced a new multifaceted approach to cleaning up the lakes. “Great Lakes Strategy 2002,” a federal, state and local project, aims, among other worthy goals, to reduce PCBs in lake trout and walleye by 25 percent; enable 90 percent of lake beaches to remain open for 95 percent of a season; and reduce further introduction of invasive species to the Great Lakes basin ecosystem. The targets for the plan run between 2005 to 2010.

Ashworth suggests such an “ecosystems” approach is the only answer to managing the complexity of the Great Lakes; it is a wonder he can do so with a straight face.

I suppose reading *Great Lakes Journey* was good for me, much like taking a statistics class. Not a lot of fun, but thought-provoking. But without reading his first book, his second is not worth the bother. A once-combative style has gone mellow, the sense of adventure given over to a tedious parade of cautiously optimistic interviews, interspersed with descriptions of housing developments and breakfast quests. There's not much there, except for the comparison with what was said in the vigor of more determined youth. To William Ashworth, the lakes remain a force of nature, a little healthier than they were in the early '80s — somewhat by design, more by accident. The most egregious abuses are brought under control, while the slow decay wrought by too many bad habits continues to gnaw. Pretty much what a hard-bitten historian might expect. □

Robert Kuhn McGregor, an environmental historian at the University of Illinois at Springfield, is a regular contributor to the magazine.

PEOPLE

New chief at Commerce Commission

Gov. George Ryan appointed his deputy chief of staff, **Kevin Wright**, as chairman of the Illinois Commerce Commission. Wright replaces **Richard Mathias**, whose resignation from the commission takes effect September 1. Mathias, a Winnetka resident, was appointed chairman in 1998 by Gov. Jim Edgar.

The commission regulates the state's utilities.

Wright oversaw Gov. Ryan's efforts in rewriting the state's telecommunications law. He also served as deputy director when Ryan was secretary of state.

Commissioners serve five-year terms.

President on board for U.S. attorney

President George W. Bush nominated **Jan Paul Miller** as the U.S. attorney for the Central District of Illinois. Miller has been in that post in an interim capacity since January. He replaces **Frances Hulin**.

Illinois loses school expert

State Sen. **John Maitland**, a Bloomington Republican, resigned his seat at the end of April. Named assistant majority leader in 1993, he had represented the 44th District in the Illinois Senate for more than 23 years.

Sen. Maitland announced in September he would not seek re-election. He suffered a stroke nearly two years ago, and a family spokesman says the senator believes the last weeks of negotiations during the spring legislative session would make it difficult to continue his rehabilitation.

A grain farmer, Maitland became known as an expert in agriculture and school funding issues.

"John was always a straight-up, honest, ardent advocate for education," says former Chicago Democratic Sen. Arthur Berman, who retired two years ago but served with Maitland for more than two decades. The two worked together to reform education funding. "He was downstate, I was Chicago, and we agreed most of the time. He was never overcome with regional issues. He was just interested in helping children."

McLean County GOP Chairman Mike O'Grady named **Bill Brady** of Bloomington to finish Maitland's term. Brady, who served in the Illinois House from 1993 to 2001, won the Republican nomination in the March primary and will face Democrat **Gerald Bradley**, also a former state representative, in the fall general election.



John Maitland

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BIG JIM ON CAMPUS Thompson to speak to U of I grads

Former Gov. **James R. Thompson** returns to the capital city May 18 to deliver the commencement address at the University of Illinois at Springfield. During the ceremony, the university will award him an honorary Doctor of Humane Letters.

Known as "Big Jim" because of his imposing height and presence, the Republican was Illinois' longest-serving chief executive. He was governor for 14 years, serving four terms from 1977 to 1991.

Thompson "exemplifies a commitment to public affairs through a lifetime of accomplishments and personal achievements," says UIS Chancellor Richard Ringeisen. "It is only fitting, with our public affairs emphasis, to award him an honorary degree."

Thompson, who attended the U of I in Chicago, served in the Cook County state's attorney's office from 1959 to 1964. He then taught at Northwestern Law School, and, in 1971, became U.S. attorney for the Northern District of Illinois, where he gained a reputation for prosecuting corrupt officials, including former Democratic Gov. Otto Kerner. From that position, he launched his career as an elected official.

After leaving office, he rejoined Winston & Strawn, the Chicago law firm he first joined in 1975. He is now chairman. He remains active in civic organizations, including the Illinois Mathematics and Science Academy, the state-supported residential high school in Aurora that he helped create.



James R. Thompson

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LETTERS

Hospitals' health at risk

Charles Wheeler's thoughtful column on the pitfalls in the governor's budget proposal (see *Illinois Issues*, March, page 42) mentioned some risks the state is facing by refusing to pay the full cost of treatment to Medicaid providers. But it didn't mention the most serious risk of all: deterioration of our hospital system.

That's understandable because the governor didn't talk about the Medicaid hospital cuts he implemented earlier. But those cuts, which slashed the Medicaid hospital budget by more than \$200 million annually starting January 1 and continuing into fiscal year 2003, could have devastating consequences.

The cuts will mean more job losses, higher premiums for employers and reductions in health care services. They also will mean a loss of \$100 million in federal funding for Illinois because we forgo one dollar in federal matching funds for every dollar cut from state Medicaid spending.

Chronic Medicaid underfunding is bringing our health care system to the breaking point, and if nothing is done to

correct it, the entire state will suffer the consequences. The hospital community of Illinois is looking to the legislature and the governor to help find a solution, both for the immediate crisis and for the long-range future.

Kenneth C. Robbins
President
Illinois Hospital Association

Centers serve mentally ill

I agree with Charles Wheeler that second thoughts are warranted on the governor's spending plan. However, his memory of the mentally ill being removed from state hospitals before adequate community services were in place is not true of recent closings. The state facility closed most recently was the Meyer Center in Decatur. Within a nine-month period, more than 120 patients were relocated successfully into the community. There was money for providers and savings for the state.

Anthony A. Kopera
President & CEO
Community Counseling Centers of Chicago



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Your comments are welcome. Please keep them brief (250 words). We reserve the right to excerpt them.

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Patrick E. Gauen



Lisa Madigan is not the first to rise with a father's help

by Patrick E. Gauen

Daddy's girl. The words won't necessarily be a public accusation, but they will fester in the background of the Illinois attorney general's race as Lisa Madigan, daughter of House Speaker Michael Madigan, fights to convince skeptical voters she won nomination based on her four years in law practice and four in the state Senate.

It's a new wrinkle in the state's political apparel, but old hat in southern Illinois, where daughters of two rich and powerful men overcame similar criticism about inexperience to reach important judicial posts.

Neither Morris Chapman nor Lance Callis has the name recognition or raw power of Mike Madigan, who commands not only the House but the state Democratic Party. Still, they are wealthy personal injury lawyers and powerful figures in the unseen engine room of Madison County's formidable Democratic Party warship.

Ann Callis came almost out of the blue to get appointed associate judge in the Madison-Bond County 3rd Circuit in 1994. She was 30, the youngest of 21 candidates, and, as it turned out, the favorite of an unspecified majority of the nine circuit judges who did the choosing. She had been a lawyer just four years, in private practice with some part-time prosecuting.

Some lawyers privately cried (as one put it) "political incest."

It's a new wrinkle in the state's political apparel, but old hat in southern Illinois, where daughters of two rich and powerful men overcame similar criticism about inexperience to reach important judicial posts.

Only 54 percent of the circuit's lawyers told a Bar Association poll they thought Callis met the requirements of office; only 45 percent credited her with adequate legal knowledge and experience. Her blonde hair, model's features and stylish clothes exacerbated the credibility problem among those easily swayed by stereotypes.

Callis went to work at judging and being judged, slowly winning acceptance.

When a death opened a circuit judgeship in 1999, Justice Moses Harrison led the state Supreme Court to appoint Callis, setting her up with an incumbent's advantage for a bruising election that in a sense delivered some vindication: Not only did she win 3-2, but 80 percent of lawyers responding to that year's poll said she

met requirements. That was five points more than the rating of the former associate judge of 12 years' experience running against her.

Justice Harrison played a similar role in the second daughter story — after a retirement on the 5th District Court of Appeals at Mount Vernon last year. The Supremes filled it with Melissa Chapman Rheinecker, 49, with 18 years of law experience. The rub was that she was named to a court that reviews the procedural decisions of trial judges without ever having been one.

There was an underlying controversy about her dad. Morris Chapman, still practicing at age 83, is not only reputed to be feared by some judges but apparently wants it that way. In a 1980 display unforgotten, Chapman openly put his muscle and his money behind making sure two circuit judges in Madison County didn't get the 60 percent vote they needed for retention.

Some wags complained this year that Morris Chapman just wants to ensure a sympathetic ear on the appeals court. It's a cut surely rooted in that 1980 episode, but which seems unfair to his untested daughter.

In the March primary, Melissa Chapman (who doesn't use Rheinecker professionally) defended the job against challenges by Jim Wexstten, chief judge of the 2nd Circuit with 13 years on the bench, and a politically unknown lawyer. The bar poll went with Wexstten, giving him 87 percent approval to her 57 percent. But the voters went with the money, as Chapman outspent Wexstten about 2-1 and beat him by more than 16,000 votes.

Judge. Attorney general. The titles may sound exalted, but it's still about politics. And there is nothing more natural in politics than using a little of your influence to help your son get elected. From John Adams to Joseph Kennedy to George "41" Bush. So, why not daughters, too? □

Patrick E. Gauen writes an Illinois column for the St. Louis Post-Dispatch.

Charles N. Wheeler III



It's budget crunch time. Is there a statesman in Illinois government?

by Charles N. Wheeler III

Is there a statesman in the House? The Senate? The Executive Mansion? Anywhere in state government?

As the Illinois General Assembly moves into the final month of the spring session, it seems fitting to pose a question — albeit rhetorical — about the quality of leadership in Springfield.

The paramount task for lawmakers in the coming weeks is closing a \$1.3 billion — perhaps greater — hole in the budget Gov. George Ryan proposed for the fiscal year starting July 1. For most, it's the most daunting challenge of their public lives; they must choose between slashing vital services or raising taxes to avoid some or all of the most draconian cuts.

Yet heading into crunch time, political courage appeared in almost as short supply as dollars in the treasury. Moreover, to win leadership laurels in Illinois, history has set the bar rather high. Consider, for example, the mettle shown by state leaders in two earlier crises when revenue scarcities jeopardized the state's commitment to important programs:

- In 1969, newly elected Gov. Richard Ogilvie proposed the state's first income tax, in part to deal with a \$1.1 billion gap between spending and revenue.

The paramount task for lawmakers in the coming weeks is closing a \$1.3 billion — perhaps greater — hole in the budget Gov. George Ryan proposed for the fiscal year starting July 1.

"Illinois simply cannot afford to cut back essential services," he said, citing as well a need to increase outlays for education and welfare. "We must have a new revenue source. ... I have no choice but to recommend the General Assembly impose an income tax on persons and corporations alike."

Although the Republican governor proposed a uniform rate of 4 percent on individuals and corporations, the final compromise set the individual rate at 2.5 percent and the corporate rate at 4 percent, where they stayed for 14 years.

A decade after the income tax became a major factor in his 1972 defeat for a second term, Ogilvie told an interviewer: "It was something I

had to do. ... I was elected to be governor, and I was going to govern and not just occupy the office."

- In 1983, Gov. James R. Thompson in his seventh State of the State address called for the first increase in income tax rates since the tax was enacted.

"I believe that we can no longer save and cut, stretch and borrow, nor put off until tomorrow the pressing human needs of today," he told a joint session of the legislature.

"The same cruel recession which has been punishing so many citizens has taken its toll on the ability of your state government to maintain a standard of decency in the delivery of some human services, a standard of excellence in education, and a new standard of achievement in economic development."

Thompson called for hiking the individual rate to 4 percent and the corporate rate to 5.6 percent. After much bargaining, the legislature passed and the governor signed an 18-month, 20 percent rate increase for both individual and corporate taxpayers, as the key part of a larger revenue restructuring plan.

In both instances, Ogilvie and Thompson chose to be statesmen, making the tough decision to raise taxes because their convictions told them it was the right thing to do.

So far this spring, however, neither Ryan nor any of the four legislative leaders are ready to be measured for a similar hero's cape. Publicly, they seem intent on balancing the budget simply by cutting spending. Privately, one would hope, they realize that can't be accomplished without devastating myriad programs intended to help the state's most vulnerable citizens, from in-home care for feeble seniors to prenatal care for welfare moms.

Indeed, one line of speculation holds that the budget-cutting is merely an academic exercise, intended to show in searing detail why the state can't slash its way out of the fiscal morass. Then,

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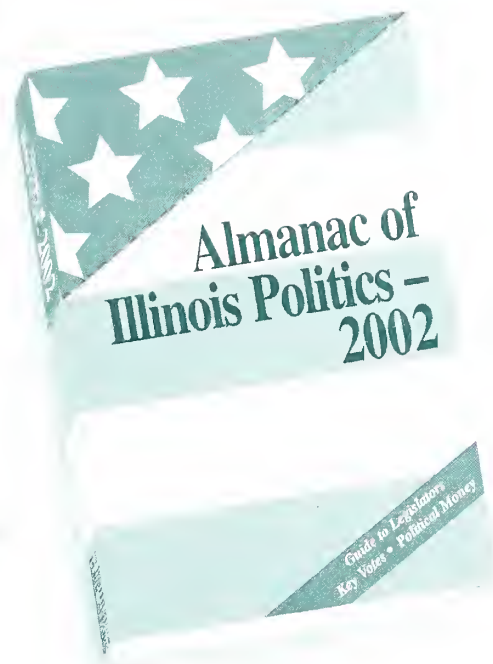
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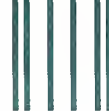
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the theory goes, the governor and the leaders will agree on limited tax hikes — perhaps on riverboats or cigarettes — to avert some of the more severe cuts.

That may well be the game plan, but such a timid response merits no plaudits and ill serves the state's needs. If current leaders hope to be mentioned in the same breath as Ogilvie and Thompson, they should be as bold in addressing the problem. Indeed, one could argue the state's finances are worse today than they were in 1969 or in 1983, if for no other reason than revenues this fiscal year are likely to be less than receipts a year ago — the first year-to-year dropoff in almost half a century.

Under such circumstances, the best response is neither deep cuts in spending nor modest tax hikes. What's really needed, as it was in 1969 and in 1983, is an increase in income tax rates. Raising rates 17 percent — to 3.5 percent for individuals and 5.6 percent

And, yes, unlike the post-election tax increases of 1969 and 1983, any hike this spring will precede the November election.

for corporations — would bring in another \$1.4 billion, according to the state Department of Revenue, more than enough to close the existing gap and preserve vital services. The burden could be eased on lower-income taxpayers by raising the \$2,000 personal exemption.

Moreover, the increase could be made temporary, perhaps for a couple of years, until state coffers benefit

from economic recovery. Then, taxes could be raised on riverboats or cigarettes as income tax rates go down, to avert any sharp revenue dropoff. The mechanics aren't the difficult part — it's the political will.

And, yes, unlike the post-election tax increases of 1969 and 1983, any hike this spring will precede the November election. Given the timing, the knee-jerk reaction is to say "no way." But Ryan is not seeking another term, and as of March 20, 44 senators and 72 representatives had no November worries, either. Some are lame ducks, either primary losers or retirees, but most are running unopposed.

If majorities can't be found from this pool of potential "yes" voters, the state's budget woes will be far eclipsed by a glaring absence of political backbone among its purported leaders. □

Charles N. Wheeler III is director of the Public Affairs Reporting Program at the University of Illinois at Springfield.

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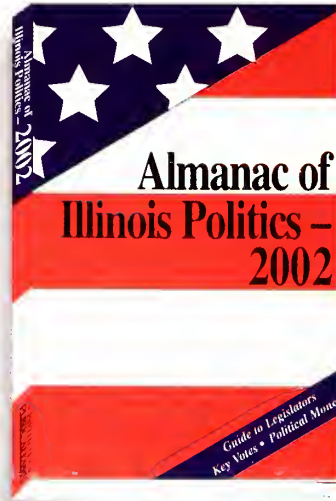
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